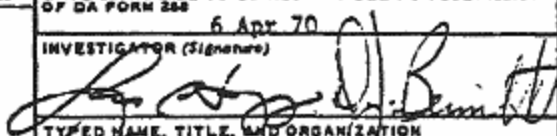



# FROM THE CID REINVESTIGATION

## February 17, 1970 - April 10 1972

The murders of Colette, Kimberley and Kristen MacDonald

<b>CID REPORT OF INVESTIGATION</b> <small>(Military Police)</small> <small>For use of this form, see AR 185-10, the proponent agency is the Office of the Deputy Chief of Staff for Personnel</small>		<b>541/1961</b>
<b>PREPARING CID AGENCY</b> Investigations Directorate USACIDC, DA Washington, DC 20315	<b>TYPE OF REPORT</b> Final	<b>REPORT NUMBER</b> 71-CID011-00015 (See attached sheet)
		<b>PERIOD COVERED</b> 17 Feb 70 - 10 Apr 72
<b>OFFENSE</b> Murder		<b>DATE OF REPORT</b> 31 MAY 1972
<b>SUBJECT(S)</b> (Last name - First name - Middle name - Grade - SSAN - Organization or address and ZIP Code) MACDONALD, Jeffrey Robert; Civ; DL 7C CA, 92647; (Formerly CPT, MC, HQ, 6th Special Forces Group, Ft Bragg, NC 28307)		
<b>BASIS FOR INVESTIGATION</b> This investigation was assumed by USACIDC on 19 Jan 71 as reported in Control Transferred ROI 70-CID023-10198, dated 8 Apr 71, Det B, 3d MP Gp(CI), Ft Bragg, NC. The transfer was directed by the COMUSACIDC, Washington, DC. (FB MPR 1029-70; CIDA-019-71)		
<b>INVESTIGATIVE SUMMARY</b>  Investigation disclosed that between 2330, 16 Feb 70 and 0342, 17 Feb 70, Jeffrey MacDONALD, in the master bedroom of their assigned quarters, 544 Castle Dr., Ft Bragg, NC, murdered his wife, Colette K. MacDONALD, by striking her about the head and body with a 31 inch piece of wood and stabbing her about the upper portion of her body with a paring knife and an ice pick.  Further investigation revealed that either during the struggle with Colette, or thereafter, Jeffrey MacDONALD struck his daughter, Kimberly, in the head with the same blunt instrument and subsequently stabbed her about the throat with a paring knife. Kimberly, after sustaining injuries, was transported to her own bedroom and placed in her bed in a normal sleeping position.  Jeffrey MacDONALD then proceeded to the bedroom of his youngest daughter, Kristen, and stabbed her repeatedly in the upper back and chest with a paring knife and ice pick as she lay sleeping.  On 17 Feb 70, an autopsy was performed at the Womack Army Hospital, Ft Bragg, which indicated that Colette MacDONALD died as a result of the loss of blood from the stab wounds sustained in her chest and throat. Colette was also found to be (Continued, see attached sheet)		
<b>DISTRIBUTION</b>	<b>COPIES</b>	<b>DATE OF NOTICE TO CO RESPONSIBLE FOR SUBMISSION OF DA FORM 285</b>
US Dept of Justice, Crim Div, Wash, DC (Action cy)	1	6 Apr 70
US Attorney, NE District of NC, Raleigh NC (Info cy)	1	INVESTIGATOR (Signature)  TYPED NAME, TITLE, AND ORGANIZATION PETER E. KEARNS D.J. BENNETT CID Agent D-2 CID Agent 52
Army General Counsel, Wash, DC (Info cy)	1	
Resident Agent, FBI, US Post Office, Fayetteville, NC (Info cy)	1	APPROVING OFFICER (Signature)  TYPED NAME, GRADE, TITLE, AND ORGANIZATION SAUNDER WEINSTEIN, LTC, MPC Dir, Invas Dir
CG, XVIII Abn Corps & Ft Bragg, NC ATTN: SJA (Info cy)	(1)	
CO, 3d Region, USACIDC, Ft McPherson, GA (Info cy)	1	
COMUSACIDC, Washington, DC	2	
CIDC-O (Repos cy)	(1)	
CIDC-J (Info cy)	(1)	

CID REPORT OF INVESTIGATION - ADMINISTRATIVE DATA

For use of this form, see AR 195-10; the proponent agency is the Office of The Provost Marshal General.

REPORT NUMBER  
71-CID011-00015

SUBJECT(S) (Show last name and following personal data in order listed: Service number; Security clearance; DOB; POB; Sex; Race; Height; Weight; Hair color; Eye color; Build; Identifying marks; Former name, aliases, or service number; Disposition of subject; Results of repository check.)

MacDONALD: 12 Oct 43; Jamaica, NY; M; Cauc; 71 in; 175 lbs; brown hair; green eyes; medium build; discharged from US Army 4 Dec 70; USACRR-Negative

VICTIM(S) (Show full name and following personal data in order listed: SSAN; Service number; Organization or address; Position occupied; Grade or title; Sex; Race; DOB; POB; Former military rank or service number; Location of victim.)

MacDONALD, Colette Kathryn (Deceased); ~~bb~~, 544 Castle Drive, Fort Bragg, NC; Housewife; F; Cauc; 10 May 43; New York, NY; remains interred, Long Island, NY

MacDONALD, Kimberly Kathryn (Deceased); 544 Castle Drive, Fort Bragg, NC; dependent daughter; F; Cauc; 18 Apr 64; Princeton, NJ; remains interred Long Island, NY

MacDONALD, Kristen Jean (Deceased); 544 Castle Drive, Fort Bragg, NC; dependent daughter; F; Cauc; 8 May 67; Chicago, IL; remains interred Long Island, NY

AGGREGATE DOLLAR VALUE OF PROPERTY

	STOLEN	LOST	DAMAGED	RECOVERED
US GOVT				
PRIVATE				

COORDINATION

INTELLIGENCE	DATE INITIAL NOTIFICATION 6 Apr 70	NAME OF PERSON RECEIVING NOTIFICATION CPT Robert J. HORAN
JUDGE ADVOCATE	DATE CASE DISCUSSED 10 Dec 70 6 Mar 72	NAME OF PERSON DISCUSSED WITH CPT Clifford L. SOMERS CPT Brian M. MURTAGH
PROVOST MARSHAL	DATE INITIAL NOTIFICATION DATE COMPLETED REPORT DISCUSSED	NAME OF PERSON RECEIVING NOTIFICATION INSTALLATION PROVOST MARSHAL APPROVAL
OTHER	SPECIFY AGENCY, DATE, PERSON NOTIFIED FBI, Fayetteville, NC, 17 Feb 70, SA (M)(C)	

TOTAL AMOUNT OF CID FUNDS EXPENDED ON INVESTIGATION (Enter on repository and file copies only.) \$

REMARKS Attached as Exhibits E-4 thru I-4, are Polygraph Examination Reports (DA For 2802). Under the provisions of paragraph 1-7g, AR 195-6, this exhibit must be destroyed not later than 19 August 1972. The original of this report, to include associated polygraph records, is in the files of the Crime Records Directorate, Ft Solabird, MD 21219. Reproduction of this exhibit or its contents is prohibited.

REVIEW

HQ, USACIDG, WASHINGTON, D.C.

**REVIEWED**

BY W. H. GINSER DATE 9 JUL 1972

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SUMMARY (Continued)

pregnant with a single, normally developed male fetus in about the fourth month of gestation. Kimberly MacDONALD died as a result of loss of blood from stab wounds sustained in the throat. Kristen MacDONALD died as the result of loss of blood from stab wounds in the chest and back.

A 31 inch piece of wood, an ice pick and two paring knives were recovered at the scene.

Investigation failed to reveal the presence of outside perpetrator(s) as alleged by Jeffrey MacDONALD.

By transmittal of this report, this matter is referred to the US Department of Justice, Criminal Division, Washington, DC, for review and evaluation.

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SUBSTANTIATION

It is pointed out that normally the results of laboratory examinations and comments of experts on identification of items of physical evidence are set forth in separate paragraphs and usually in the last portion of the substantiation action of reports of investigation. In this particular investigation, hundreds of items of evidence were examined and positive identifications made will be set forth in parenthesis after the introduction of the specific piece of evidence to the investigation.

Predication

Military Police Report, MPR #1029-70, Office of the Provost Marshal, XVIII Airborne Corps & Ft Bragg, NC, 17 Feb 70, reflects that at about 0342, 17 Feb 70, Miss Janie C. LANDEN, Telephone Operator, Carolina Telephone and Telegraph Co, Fayetteville, NC, notified Ft Bragg Military Police that she had a caller on one of the company's operator lines reporting a stabbing at 544 Castle Drive, Ft Bragg. The report also details the initial investigation by Military Police and CID which identified that Jeffrey R. MacDONALD had apparently been assaulted and wounded by unknown person(s) and that his wife Colette, and children, Kimberly and Kristen, had been murdered in the same attack. (EXHIBIT "A")

Crime Scene Investigation

A crime scene sketch was prepared which details the floor plan of the MacDONALD residence. The MacDONALD residence was in a four apartment brick structure located in one of the Government housing areas on Ft Bragg utilized exclusively by military dependents. MacDONALD's residence was located on the east end of the building and is a one story three bedroom apartment. The east bedroom (master bedroom) was utilized by Jeffrey and Colette MacDONALD; the south bedroom was used by the oldest MacDONALD daughter, Kimberly, and her younger sister, Kristen, slept in the north bedroom. The main entrance to the residence, facing Castle Drive, was located at the southwest end of the residence and gave direct access to the living room. There were two rear exits from the residence, the kitchen exit located at the northwest end and the utility room exit located at the northeast end of the house. The utility room included a half-bathroom and direct access to the east bedroom (master bedroom) could be gained from the utility

From the master bedroom, a hallway extended in an east-west direction to the living room-dining room area. The bedrooms of Kimberly and Kristen led off from this hallway on the south and north sides respectively and the main bathroom of the residence was located on the north side of the hallway between the bedrooms of Kristen and her parents. The living room occupies the south area of the west end of the residence and the north end of this area was divided between the kitchen on the west and the dining room on the east. (EXHIBIT "B")



SUBSTANTIATION (Continued)

Criminal Investigator William F. IVORY furnished a written statement detailing the crime scene search and other investigative activities. IVORY was the CID Duty Investigator at Ft Bragg from 0730, 16 Feb 70 through 0730, 17 Feb 70. IVORY stated that at about 0350, 17 Feb 70, while in the CID office, he monitored a radio transmission from an MP patrol reporting a stabbing at 544 Castle Drive, Ft Bragg. IVORY arrived at the scene at about 0400, 17 Feb 70. Upon arrival IVORY noted that the weather was rainy, cool, about 40 degrees temperature and the ground was wet. He explained that it had been raining the entire evening of 16-17 Feb 70 with rain being quite heavy during the early evening. IVORY received an initial briefing from the Military Police Duty Officer, 1LT Joseph L. PAULK, who was present at the scene with the first arriving Military Police. During the briefing, IVORY observed Jeffrey MacDONALD being removed from the residence on a stretcher by Medical Corpsmen. IVORY further observed there was dried blood on Jeffrey MacDONALD's face but made no other observations since MacDONALD's body was covered with a sheet. Jeffrey MacDONALD's eyes were closed and IVORY made no attempt to interview him at that time.

IVORY then accompanied PAULK through the residence, made a close observation of the three female bodies and noted they were obviously dead. PAULK informed IVORY that the female bodies were found by Military Police at about 0350, 17 Feb 70, in their respective bedrooms and Jeffrey MacDONALD had been located lying on the floor of the east bedroom (Master) next to his wife. PAULK advised that Jeffrey MacDONALD claimed he was asleep on the couch in the living room sometime after about 0200, 17 Feb 70, when he was attacked and rendered unconscious by two male Caucasians, a male Negro and a female Caucasian. Jeffrey MacDONALD claimed he woke shortly before 0342, 17 Feb 70 checked his wife and children and then telephonically notified Military Police of the incident.

IVORY, in his statement, noted that the living room was in good order except for the area in front of the couch where Jeffrey MacDONALD claimed he was sleeping when the attack on him took place. The couch was located against the east wall of the living room. In front of the couch was an overturned coffee table resting on its side, on top of an assortment of magazines lying on the floor. A few feet west of the coffee table, on the living room floor, was a plant with its root ball intact. Standing next to the north end of the overturned coffee table was a plastic flower pot which had apparently contained the plant. A search of the couch and surrounding area revealed no blood evidence. However, a pair of eye glasses, (property of Jeffrey MacDONALD), were located on the floor near the living room window and a small "spot" of blood (type O - Kristen MacDONALD) was located on the outer lens.

The dining room appeared to be in good order and showed no signs of a struggle.

SUBSTANTIATION (Continued)

The kitchen was situated off and to the west of the dining room. The main ceiling light in the kitchen was on and a wall telephone was located just inside the kitchen entrance on the east wall of the kitchen. The wall telephone receiver was off of the hook and was hanging downward, resting on the kitchen floor. Several bloodstains were on the floor near the kitchen-dining room entrance way and the stains apparently had been deposited there by some object stained with blood later identified as the same type as that of Colette MacDONALD (type A) and Kimberly MacDONALD (type AB). Several blood spots (later identified as type B that of Jeffrey MacDONALD) were located on the floor of the kitchen in the area directly in front of a kitchen sink storage cabinet. These particular blood spots had the appearance of direct bleeding onto the floor and from their configuration appeared to have fallen from a distance of about 20 inches from the source of the blood to the floor.

IVORY then went to the east (master) bedroom and observed the body of Colette MacDONALD. She was lying on the bedroom floor and was dressed in a two piece pink colored pajamas. The upper half of her body was extremely bloody and showed signs of being beaten on the head and stabbed in the chest and neck. He observed that her hands and arms showed signs of a violent attack in that apparent defense wounds on her forearm indicated that she attempted to parry heavy blows from a blunt object. Draped across the upper portion of the trunk of her body was a torn blue colored pajama top (later identified as the garment of Jeffrey MacDONALD) which bore large blood stains (identified as mostly type A, that of Colette MacDONALD); some stains of type AB (that of Kimberly MacDONALD) and two stains identified as type B (that of Jeffrey MacDONALD). Across her abdomen IVORY located a "Hilton Hotel" white bath mat and a later examination of the bath mat revealed several blood stains which suggested that some bloody object or objects had been wiped off on the towel (the stains were identified as type A, the same as that of Colette MacDONALD, and type AB, the same as that of Kimberly MacDONALD).

IVORY further stated that a green arm chair which bore large blood stains (type A - Colette MacDONALD) was located next to the body of Colette MacDONALD. He also noted that there were large blood stains (type A - Colette MacDONALD) on a white pile rug upon which the body of Colette MacDONALD was lying. At Colette MacDONALD's feet was a blue-green colored throw rug with one corner of the rug folded over. Lying on the folded corner of the rug was a pocket from the blue pajama top previously mentioned. The pocket bore some small blood stains (type A - Colette MacDONALD) but was virtually free of blood stains when compared to the remainder of the blue pajama.

IVORY observed that the double bed in the same bedroom and to the south of Colette MacDONALD's body, had only one pillow and was made up with only a bottom blue colored sheet. It was later learned that a second

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SUBSTANTIATION (Continued)

pillow had been removed from the bed by medical personnel for use on the stretcher on which Jeffrey MacDONALD was transported to the post hospital. The bottom sheet bore small blood stains, (type A - Colette MacDONALD), and these stains were in splatter patterns as opposed to direct bleeding. Also, located on this sheet was a urine stain. The significance of this stain is that Jeffrey MacDONALD, in later statements, (EXHIBITS "O-3", "L5", "M-5", "N-5", "R-5"), related that his smaller daughter Kristen, had urinated in the bed and this was the reason he was sleeping on the couch and not in the bed in the east (master) bedroom. Laboratory analysis of the urine stain has shown that Kristen, with type O blood, could not have produced this stain and that it was made by a person with either A type blood (Colette MacDONALD) or AB type blood (Kimberly MacDONALD) and most probably the AB type with a deterioration of the specific blood type factor for B in AB blood.

IVORY continued, pointing out that on the west side of the head-board of the bed the word "PIG" was printed in blood, (type A - Colette MacDONALD). (Analysis of the printing did not identify the writer, but it was indicated that the word was most probably printed by a right handed person using the first two fingers of the right hand).

IVORY stated that on the floor at the foot of the bed, near the hallway door, he observed a bloody bedspread and sheet which had apparently been pulled from the double bed in the east (master) bedroom. The sheet bore blood stains (type AB - Kimberly MacDONALD) and blood stains on the bedspread were type A (Colette MacDONALD). An examination of the sheet revealed a finger section of what appeared to be a surgeon's latex glove, bearing (type A blood - Colette MacDONALD). Additionally, on the white rug just in front of the bedroom's large double dresser, a paring knife, brand name "Geneva Forge", stained with (type A blood - Colette MacDONALD) was found. This knife was later identified as possibly being a part of the MacDONALD family's kitchen cutlery.

IVORY said he then proceeded out of the east (master) bedroom along the hallway towards the living room area and entered the south bedroom, that of Kimberly MacDONALD. Upon entry, he turned on the over head light in the room and discovered the body of Kimberly MacDONALD lying in the bed. Kimberly was dressed in a nightgown, covered and tucked in with the bed covers. Kimberly's face bore evidence of a severe beating and stab wounds were noted in the right side of the girl's neck. A large amount of blood was present and the girl was apparently dead, as no pulse or other life signs were in evidence.

IVORY then examined the bedroom of Kristen MacDONALD, north Bedroom. She was lying in bed, dressed in pajamas with the lower portion of her body covered with bedding. Kristen's body bore stab injuries to the chest, back and one of her hands. She also was obviously dead. IVORY further observed that Kristen was lying on her left side, and about one inch from her mouth was a plastic baby bottle containing, what was later identified as, residue

SUBSTANTIATION (Continued)

of chocolate milk. The rubber nipple of the bottle pointed towards the child's face.

IVORY at 0420, 17 Feb 70, contacted the next door neighbor of the MacDONALDs, CW3 Donald L. KALIN, 542 Castle Drive, and requested that KALIN make identification of the bodies. KALIN agreed and was escorted to the MacDONALD residence where he identified the MacDONALD females.

IVORY then requested additional investigative assistance and extensive photographic coverage of the crime scene was initiated.

At 0458, 17 Feb 70, according to IVORY's statement, CPT William P. NEAL, Professional Officer of the Day, Womack Army Hospital, arrived at the scene and was escorted through the residence to examine the MacDONALD females. It was noted that NEAL did not have any medical instruments such as a stethoscope with him during the examinations. NEAL was cautioned not to disturb the bodies unless it was absolutely necessary. NEAL entered the bedroom of Kristen MacDONALD and walked to the bedside being careful not to step in the blood on the floor. When he reached the body he rolled it over onto its back and then inspected both chest and back and declared that Kristen was dead. He then replaced Kristen's body in nearly the same position as before and covered it with the bed clothes a little more than it had been covered. NEAL was again cautioned about moving the bodies unless absolutely necessary and he stated he understood.

NEAL then entered Kimberly's bedroom, the south bedroom. He reached over her body and touched the inside of the left wrist in what was obviously a search for her pulse. He also placed his hand on the face of Kimberly and stated that she was dead. He did not move or disturb the body of Kimberly in any manner.

NEAL was then escorted to the east bedroom where he again avoided touching any items of possible evidence. He touched the outstretched left wrist of Colette MacDONALD in a search for a pulse and walked around the body so that he was standing over the head of the body. He bent down and reached under the chin and jaw area of Colette and then stated that she was dead.

NEAL at no time in the crime scene used an instrument in his examinations and moved only the one body, that of Kristen. Upon concluding his examination of Colette MacDONALD, NEAL was escorted out of the residence. At no time was NEAL alone in any rooms of the house.

IVORY related that after photographs of the bodies were taken and NEAL's examination of the bodies, which followed, a more extensive visual examination of the bodies was made by investigators.

According to IVORY's statement, when first viewed, the bodies of the children suggested that they were killed in bed when they were asleep

SUBSTANTIATION (Continued)

and/or unconscious and that they had not been moved. These suggestions were evidenced by the fact that they were covered with bedding and Kristen, besides being in the position of a sleeping child, had a plastic baby bottle near her mouth. Kimberly also lay in a position of sleep and had bedcovers tucked around her back and under her body. The only concentration of blood around Kimberly, at first sight, was that which was around her face and neck and normally would have been there if she had not been moved. Upon closer examination, it was seen that her blood was on the tips of her hair which were not close enough to any of her bleeding injuries to cause such a contamination, unless, she was in an entirely different position when her injuries were inflicted. Additionally, when her body was moved, signs of another heavy blow were located on the left side of her face. Since a substantial amount of Kimberly's blood was located on the floor of the east (master) bedroom, this blow was most probably sustained in that room before she was moved back to her own room and placed in bed. IVORY further pointed out that additional support for the observation that Kimberly was transported from the east (master) bedroom to her own room after sustaining injuries is found in the fact that when the bedcovers were removed from Kimberly's body by investigators, threads from Jeffrey MacDONALD's torn pajama shirt were found on the sheets near her body.

IVORY continued, detailing the fact that there is no evidence that Kristen was in any other location but her own bed while the murderous activities were taking place around her. IVORY noted that there were large pools of blood (type O - Kristen MacDONALD) found on the floor adjacent to her bedside, and these blood pools were not in a location where they would have been if she had not been picked up and held over the side of the bed. This activity then took place when she was probably receiving the stab wounds to her back and while she was bleeding heavily from chest wounds already inflicted. Kristen did not sustain any blows from a blunt object similar to that used in the assaults on Colette and Kimberly MacDONALD, and her wounds consisted of stab wounds.

IVORY observed that physical and medical evidence developed revealed that all stab wounds received by the female victims were inflicted straight into the body and did not appreciably deviate in direction; that this indicates that the assailant was positioned directly over the individual body as it lay prone and that the instrument inflicting the stab wounds was moved directly in a straight downward movement into the body.

There were no slash type wounds to any of the female victims and this indicated that all victims were immobile when stabbed.

On the top sheet covering Kristen MacDONALD, a large concentration of blood (type A - Colette MacDONALD) was found in a pattern of direct bleeding rather than contamination from an object soaked with A type blood.

SUBSTANTIATION (Continued)

Additionally, on the wall just above the bed of Kristen, splattered blood spots, again the same type as that of Coletta MacDONALD, were located in a pattern suggesting the spots were sprayed from a bloody object moving in a downward direction towards the bed. The location and quantity of blood of the type of Colette MacDONALD in this room dictates the conclusion that Colette was present in the room and was bleeding heavily onto the bed of Kristen, prior to Kristen sustaining any bleeding injuries. This is further evidenced by the fact that the clothing of Colette bore no blood of the same type as that of Kristen.

IVORY continued, stating that two footprints (determined to be similar as the footprint of Jeffrey MacDONALD's left foot) were located inside Kristen's room on the floor in a pattern indicating departure from the room when the prints were made. (One print was determined to have been made in blood type A - Coletta MacDONALD or AB - Kimberly MacDONALD and the other print was identified as having been made in type A blood-Colette MacDONALD). No type A or AB blood in any concentration was located on the floor of Kristen's room. Therefore in order for Jeffrey MacDONALD to pick up a quantity of such blood types to leave a footprint in the room he would have had to step directly onto the bleeding body of Colette MacDONALD or onto the bundle of bedding previously mentioned as having been located during the crime scene search in the east (master bedroom).

IVORY explained that at first light on the morning of 17 Feb 70, an outside search began in the area of the residence. The search produced an ice pick and a paring knife ("Old Hickory") which were located under a bush immediately outside of the utility room door. Further, a 31 inch length of wood was found outside of and inches from the doorstep of the utility room door. These weapons and the paring knife previously located on the floor of the east (master) bedroom were most probably the weapons used in the murders. (The weapons bore bloodstains of the type of the female family members and splinters from the club were found by the bodies of Colette and Kimberly MacDONALD).

IVORY further explained that in an attempt to match the pieces of rubber surgical gloves previously mentioned as having been located in the east (master) bedroom, a thorough search was made of the house. No other fragments were found outside of the east (master) bedroom. In a storage cabinet under the kitchen sink area, hidden from view by household cleaning equipment 8 pairs of "Perry" brand latex surgical gloves in sealed packages were found. No open packages were located during the crime scene search, nor were any other surgical gloves located in other areas inside the residence. A pair of similar latex gloves were located in a locked outside storage shed and these gloves bore no blood evidence but did contain paint stains. (The same type as that paint located on Kimberly MacDONALD's bed). The plumbing of the residence was searched from the toilets in the main and utility room bathrooms and from the kitchen sink area, to a point at the juncture of the main sewage line in the rear of the residence. These efforts did not produce any pieces of latex gloves.

SUBSTANTIATION (Continued)

IVORY reiterated that the upper portion of the body of Colette MacDONALD was covered in part by the torn blue pajama top of Jeffrey MacDONALD; that Jeffrey MacDONALD subsequently related that while being attacked in the living room, his assailants tore the pajama top and pulled it over his head and when he regained consciousness, he found the top wrapped around his wrists with the cuff portion of the sleeves still in tact. The shirt is described by IVORY as a "V-neck" garment, blue in color with white piping. Examination revealed it was torn from the bottom of the "V-neck" straight down the front and also up the entire left side from the waist to the cuff portion of the left sleeve. The tears occurred at both the seams and through the fabric proper. A search of the living room area which Jeffrey MacDONALD identified as the place where he struggled with his assailants, and where the shirt was supposedly torn, did not produce any threads or fibers from the shirt. MacDONALD also stated that upon regaining consciousness in the living room area after the attack, he went directly to the body of his wife and taking the torn pajama top from around his wrists, placed it over the chest of his wife after he removed a paring knife he found protruding from one of her chest wounds. IVORY points out that when the body of Colette MacDONALD was being moved from the location found during the crime scene search to a stretcher, he located a dark object protruding from a blood stain on the rug where her head had rested. A closer inspection revealed the object to be a seam thread from the blue pajama top of Jeffrey MacDONALD. A subsequent detailed search of the body outline area where Colette MacDONALD had lain revealed a great number of additional threads. Additional threads and fibers were located in other areas of the east (master) bedroom and thus an examination was made of the struggle area in the living room identified by Jeffrey MacDONALD. This particular examination was made utilizing a magnifying glass and no threads or fibers were located in the immediate area of the couch. IVORY summarized that threads and/or fibers from the torn pajama top were located in the following areas of the crime scene:

A large amount (30-40) was found within the outline where the body of Colette MacDONALD had lain.

A large amount was located scattered all over the rug in the east (master) bedroom of Colette and Jeffrey MacDONALD.

Several threads were located on the floor, behind the headboard of the bed in the east (master) bedroom directly under the location where the word "PIG" had been printed on the headboard.

A number of threads were located under the bedding in the south bedroom (that of Kimberly MacDONALD).

One fiber from the pajama top was located under one of Kristen's fingernails during autopsy.

SUBSTANTIATION (Continued)

One thread was located in the hallway about 3 feet from the living room area.

From the thread and fiber distribution, IVORY opined that the pajama top was most probably torn in the east (master) bedroom; that Colette MacDONALD subsequently sustained injuries and fell to the floor covering some of the threads and fibers.

According to IVORY, the crime scene search failed to reveal any evidence of intruders to the residence. No evidence of a forced entry to the residence was located. Additionally, a large amount of patent medicines, hypodermic syringes and assorted surgical equipment were stored in an open closet but were undisturbed during the incident. There also were a number of valuable possessions of the MacDONALD's residence which were not stolen or disturbed during the incident.

In discussing the acoustics of the MacDONALD residence, IVORY stated that normal household sounds were discernible between the residences and that an attack by 5 or 6 assailants on the MacDONALD family of the magnitude dictated by evidence at the crime scene should not have gone unnoticed by the KALINS or other neighbors.

IVORY's written statement also contains information to the effect that on 23 Feb 70 he was informed by Mrs Donald KALIN, wife of CW3 KALIN, that sometime during the night of 16-17 Feb 70 she was awakened by the loud and angry voice of Colette MacDONALD and she emphasized that Colette's voice was raised in anger. Mrs KALIN said that for some unknown reason she thought that Colette MacDONALD was stabbing Jeffrey MacDONALD and the MacDONALD children. She went back to sleep and then was not awakened until the arrival of Military Police on the crime scene.

IVORY also related a verbal interview he had of another neighbor of the MacDONALD's, Mrs Janice A. PENDYLSHOK, a neighbor of the MacDONALD's who resided in the building immediately northeast of the MacDONALD residence. Mrs PENDYLSHOK related that about 0300, 17 Feb 70 she was awakened by her dog's barking and heard the voices of what she identified as a woman screaming and a child crying. She could not identify the sounds further and went back to sleep without making any inquiry of the noises.

IVORY also advised that the entire crime scene was processed for evidence by a team of chemists, photographers and fingerprint examiners from the USA Criminal Investigations Laboratory, Ft Gordon, GA for a 5 day period beginning 17 Feb 70; that as a result, over 600 pieces of evidence were identified and submitted for laboratory examination. (EXHIBIT "C")

Criminal Investigator Paul A. CONNOLLY, furnished a written statement detailing his activities at the crime scene. CONNOLLY generally summarized



SUBSTANTIATION (Continued)

his initial notification of the murders by IVORY and his subsequent briefing by IVORY which included IVORY escorting him through the crime scene.

CONNOLLY stated that he accompanied IVORY when NEAL was escorted through the crime scene for the purpose of examining the bodies of the MacDONALD females. CONNOLLY advised that NEAL pronounced all three dead and that the only body moved by NEAL during this examination was that of the youngest MacDONALD girl, Kristen.

CONNOLLY explained that he was then directed to perform certain investigative activities at the crime scene by IVORY and upon completion was sent by IVORY to Womack Army Hospital to obtain evidence and clothing from the three female victims who had been transported to that facility for autopsy.

CONNOLLY advised that after collecting the clothing of the three female victims and discussing the collection of hair samples and fingernail scrapings of the female victims with the pathologist he then went to another section of the hospital to interview Jeffrey MacDONALD.

According to CONNOLLY he interviewed Jeffrey MacDONALD in an attempt to obtain identifying data regarding the alleged assailants. MacDONALD related to CONNOLLY that he woke from sleep on the couch in the living room area of the residence because of screams; that he was immediately attacked by two male Caucasians and a male Negro; that he was struck on the head by the male Negro who wielded a large stick similar to a baseball bat. Jeffrey MacDONALD felt that the only attacker he hit was the Negro and that he may have scratched his face. Jeffrey MacDONALD described his male assailants as all being about the same size 5'8" to 5'9"; that one of the Caucasian males had a moustache and wore a red jacket that had a hood on it. He told CONNOLLY the Negro assailant wore a fatigue jacket or fatigue shirt with E-6 stripes on it. Jeffrey MacDONALD described the female assailant as being blond haired, about 5'6" to 5'7" (although he was not sure of this fact); that the girl may have been carrying a lighted candle and he heard her say several times. "Kill the pigs! Acid is groovy! Acid and rain! Acid and rain!" Jeffrey MacDONALD also recalled to CONNOLLY that when he was knocked to the floor area of the living room-hallway he noticed that the girl was wearing brown boots that were so wet they appeared to be almost a black color. He also said the girl wore a large floppy hat.

Jeffrey MacDONALD claimed that during the attack by the Negro assailant he attempted to grab the stick from the Negro and at this time he was most probably stabbed in the chest; that he continued struggling until he fell to the floor at the entrance to the hallway. He could recall nothing further of the attack and woke and heard a gurgling sound. He then went to the back bedroom and found his wife lying on her back on the floor and there was a knife sticking out of her chest. Jeffrey MacDONALD said he reached down, pulled out the knife but didn't remember

SUBSTANTIATION (Continued)

what he did with it. He then felt for his wife's pulse, couldn't locate a pulse and then attempted mouth-to-mouth resuscitation; that this latter activity was not doing any good and he then heard gurgling sounds again coming from Kristen's room. Jeffrey MacDONALD told CONNOLLY he went to Kristen's room and she was "gurgling like a person who has blood in their lungs." He attempted to aid her, picked her up and then put her back down and went to the bedroom of Kimberly and found Kimberly dead.

CONNOLLY then requested that the attending physician obtain fingernail scrapings from Jeffrey MacDONALD and then departed the hospital to brief IVORY. CONNOLLY returned to the MacDONALD residence and examined the area where Jeffrey MacDONALD claimed the girl with the wet boots stood but he could locate no evidence in this area to substantiate that a person with wet footwear was in the area. (EXHIBIT "D")

CONNOLLY executed a second written statement elaborating on the crime scene search and other investigative activities. Specifically, CONNOLLY pointed out that while in the morgue area of Womack Army Hospital observing the removal of the clothing he was to collect from the decedents, he observed what appeared to be a piece of hair on Kristen's stomach; several strands of hair in the palm of one of Colette MacDONALD's hands and a small piece of what appeared to be skin on the tip of Colette MacDONALD's left ring finger. CONNOLLY observed that this particular piece of skin appeared to be just touching the fingernail but was not actually underneath the nail.

CONNOLLY furnished additional details of his initial interview of Jeffrey MacDONALD at the Intensive Care Unit of the hospital on the morning of 17 Feb 70. He said Jeffrey MacDONALD was propped up in the bed with his chest exposed during the interview and CONNOLLY observed a chest tube taped in place. The only marks he could see on Jeffrey MacDONALD's body were a slight discoloration on the right side of his forehead and what appeared to be a scratch mark from a point almost at his left shoulder diagonally downward to the center of his chest. The mark appeared to be about five inches in length and had the appearance of a fingernail scratch. CONNOLLY saw no other marks on Jeffrey MacDONALD and said he was alert and answered all questions readily. (EXHIBIT "E")

Criminal Investigator Robert B. SHAW, also called to the crime scene to assist IVORY on the morning of 17 Feb 70, rendered a written statement setting forth his activities within the scene.

After his briefing from IVORY and general viewing of the crime scene, SHAW advised that he started various investigative activities by initially making a sketch of the south bedroom. SHAW then was involved in the outside search of the residence for evidence.

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SHAW stated that a "club-like piece of wood" was located on the grass near the northeast entrance to the quarters (utility room door); that since it was raining he marked the club for identification and also marked the area it was found in and removed it from the scene for safekeeping. He then located a paring knife, "Old Hickory" brand, and an ice pick under a bush adjacent to the northeast corner of the residence and a few feet from where the club had been located. These items were photographed in place and then removed as evidence.

SHAW explained that he then continued his outside search of the residence but no additional items of evidence were located. He noted that a sandy border surrounded the residence but he could not locate any footprints in this particular area. SHAW said he made tests which established that the sandy soil was most susceptible to retaining such footprints if a person had walked in the area.

SHAW then marked as evidence and removed the knife which had been located on the floor of the east (master) bedroom.

According to SHAW, he then returned to the south bedroom (that of Kimberly MacDONALD) and continued his investigative activities. In this room, he marked the blanket and body outline of Kimberly and pulled the covers back from her body. At this time he observed a large wet stain in the crotch area of the girl which suggested it to be a urine stain (later confirmed by laboratory examination). SHAW examined the bed area which had been covered by the bedding and observed: several bloody splinters of wood; he also saw several dark fibers and several items which appeared to be pieces of hair in the same area. SHAW noted that apparent blood and urine stains were wet and that heat was still rising from Kimberly's body.

SHAW was present when the bodies were to be removed from the residence and also observed that at the living room end of the hallway several pieces of children's clothing were on the floor at the stair area. These items were removed by SHAW to facilitate the passage of medical personnel engaged in removing the bodies, and when so done, SHAW observed a single long, dark blue fiber on the floor near the steps and against the south wall of the hallway. (EXHIBIT "F")

ILT PAULK, in a written statement detailed his notification of a disturbance at 544 Castle Drive and his subsequent actions at the scene. PAULK reported that he first attempted to enter the front entrance to the MacDONALD residence but found it locked; that he then sent other MPs to the rear entrances of the residence and joined them there shortly later. PAULK entered the residence through the utility room door and entered the master (east) bedroom where he observed Jeffrey MacDONALD being assisted by a Military Policeman, SP4 Kenneth C. MICA. At the same time he observed the motionless body of Colette MacDONALD on the bedroom floor. PAULK then checked the north

SUBSTANTIATION (Continued)

and south bedrooms by looking in them and found that both the MacDONALD children were in their respective beds and motionless. PAULK noted the arrival of still more Military Police to the scene and he stated he directed the MPs not to touch anything or move anything; that he also directed unnecessary MPs from the residence and had them keep other unneeded personnel from the scene. PAULK departed the residence and utilized his vehicle radio to notify the Military Police Desk Sergeant of the need for an ambulance and CID. He further stated that he then returned to the residence, again cautioned the Military Police personnel not to touch anything in the scene and once more directed those personnel not needed in the scene to leave the residence. Upon re-entering the residence, PAULK noticed that MICA was giving "first aid" to Jeffrey MacDONALD and trying to keep him calm. PAULK opined that when he first arrived on the scene Jeffrey MacDONALD seemed in complete control of his faculties but later had all the symptoms of "shock and was becoming incoherent."

Regarding his location of possible items of evidence and investigative observations, PAULK advised that upon arrival at the scene he observed no loiterers in the area of the residence and that the area was quiet and apparently there were no neighbors disturbed by the incident. He related that inside the east (master) bedroom he observed a small knife on the floor near the dresser, that the telephone on the dresser was off the hook upon his arrival and that SGT Richard C. TEVERE, another Military Policeman at the scene attempted to use the phone and apparently now had placed the receiver back on the instrument. PAULK observed that Colette MacDONALD was "covered with blood and wearing bed clothes"; that she was lying on her back, feet and legs apart, with her head facing to the right.

PAULK noticed that the bed in the east bedroom was unmade and there was a damp spot about 18 inches in diameter in the area of the right side; that the bed linen was turned down and on the head board was written the word "PIG," in blood.

PAULK walked down the hallway towards the childrens' bedrooms and observed footprints made in blood near one of the bedrooms. He checked the bedroom on the left side (that of Kimberly MacDONALD) and saw a child in bed, with her head bloody and this child was motionless. He then moved to the bedroom on the right side (that of Kristen MacDONALD) and observed a second child with a bloody head and also motionless. PAULK observed that lights were on in the east (master) bedroom (that of Jeffrey and Colette MacDONALD) but there were no lights on in the childrens' bedrooms.

In the living room, PAULK observed the overturned coffee table, an upset plant and its pot and a pile of magazines on the floor. In the entrance way to the kitchen he observed blood on the floor but he did not enter the kitchen; that at this time CID investigators arrived at the scene and assumed the investigation. PAULK remained in the living room area

SUBSTANTIATION (Continued)

keeping personnel off the carpet and he cautioned them not to touch or upset things in that area. (EXHIBIT "G")

PAULK, in a series of one page notes, set forth results of a brief interview he had with Jeffrey MacDONALD at the Womack Army Hospital, Ft Bragg, wherein MacDONALD described his assailants as two male Caucasians, one male Negro and a female Caucasian. (EXHIBIT "H")

In a written statement, TEVERE, related his notification of a "domestic disturbance" at 544 Castle Drive while he was on motorized patrol. TEVERE, upon arrival at the scene, observed another MP patrol attempting to gain access to the residence at the front entrance so he ran to the rear entrance and entered through the open back door (utility room door). He observed Jeffrey MacDONALD lying on the floor of the east (master) bedroom dressed only in a pajama bottom and he also observed the bloody body of Colette MacDONALD, who appeared to be dead, lying next to Jeffrey MacDONALD. TEVERE departed the residence to notify other MPs to get an ambulance and upon his re-entry noticed that the light in the east bedroom was on and he observed the word "PIG" written in blood on the headboard of the bed. He also noticed a small knife on the floor of the room and that the telephone on the dresser was off the hook. He attempted to use the telephone to call the hospital but it was "dead."

TEVERE then checked the childrens' bedrooms, which he noticed were unlighted and in Kristen's room he observed a puddle of blood and Kristen in bed apparently beaten or murdered. He then went to Kimberly's bedroom, noticed she also appeared to have been "beaten or killed" and observed blood on her face. Checking the living room area, TEVERE advised he observed that a table had been overturned and there were several "objects" on the floor; that at this time another MP (not identified) unlocked the front door and made sure nothing was disturbed in the area (living room). TEVERE further advised he then returned to the east (master) bedroom where he observed MICA giving mouth-to-mouth resuscitation to Jeffrey MacDONALD. Jeffrey MacDONALD was dressed in pajama bottoms and Colette MacDONALD was dressed in pajamas and her pajama top was partially exposing one of her breasts. TEVERE also observed the circular wet spot on the bed in the east (master) bedroom. TEVERE pointed out that he observed blood on the floor of the east (master) bedroom in the hallway leading to the back door and hallway leading to the bathroom and two smaller bedrooms. TEVERE advised that Jeffrey MacDONALD claimed that he was stabbed and also beaten with an unknown object; that his assailants were two male Caucasians, one male Negro and a blond haired Caucasian female who was carrying a candle. TEVERE concluded, saying that Jeffrey MacDONALD maintained the intruders kept saying, "acid is groovy" and to "kill the pigs." (EXHIBIT "I")

MICA furnished a written statement to the effect he and his patrol partner, PFC Dennis R. MORRIS, were first notified of the "domestic

SUBSTANTIATION (Continued)

disturbance" at 544 Castle Drive at 0345, 17 Feb 70 while on patrol; that they proceeded to the residence arriving at about 0350. MICA observed that there were a group of about "6 MPs" trying to get into the front door of the residence and he and his partner ran around to the rear of the residence and entered the house. MICA observed Colette MacDONALD lying on her back, her "clothing torn and covered with blood." He noticed that she had multiple cuts on the scalp and neck and her right eye was partly open. He further observed that she was wearing a "pink night-gown" which was ripped exposing her left breast. Jeffrey MacDONALD was lying next to her with his head on her chest. The bed in the room was unmade and there was a large wet spot in the center of the bed. Jeffrey MacDONALD started to "mumble something" and tried to turn over on his back. MICA then heard him say "check my kids. They're in the other room. I can't breathe." MICA then started to administer mouth-to-mouth resuscitation to Jeffrey MacDONALD. MICA was informed by Jeffrey MacDONALD that there were four assailants, two male Caucasians, a male Negro and one blond Caucasian female; that he was also informed that the group attacked Jeffrey MacDONALD as he lay sleeping on the couch in the living room; that the female had on a "brown floppy hat" and during the fight Jeffrey MacDONALD felt he may have cut the face of the Negro assailant. According to MICA, Jeffrey MacDONALD kept losing consciousness and MICA stated "I brought him back three times with mouth-to-mouth." (EXHIBIT"J")

SP4 David E. DICKERSON, Military Policeman assigned as the patrol driver for PAULK, furnished two written statements outlining his activities at the crime scene. DICKERSON entered the residence through the utility room door and maintained that he was the fourth Military Policeman to enter the residence. He observed Jeffrey and Colette MacDONALD on the floor of the east (master) bedroom and stated that Colette MacDONALD appeared to be dead but that Jeffrey MacDONALD was breathing. DICKERSON then walked down the hallway to the bedroom of Kimberly MacDONALD, noted that there was a light on in the room and he looked at Kimberly and she also appeared to be dead. He departed this, looked into Kristen's room but did not enter or make any observation as to her condition. DICKERSON then opened the locked front door of the residence for other Military Policemen.

According to DICKERSON the master (east) bedroom could have been the sight of a struggle because the bedding was off the bed and there was blood on the walls. He also observed the overturned table in the living room but noticed no blood in this room. (EXHIBITS "K" and "L")

A sketch was prepared identifying those fingerprints located within the crime scene that as of the date of this report still remain to be identified. No fingerprints were located on any of the four weapons believed to have been used in the murders. (EXHIBIT"M")

Criminal Investigator Peter E. KEARNS prepared a written statement

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regarding the final results of fingerprints examinations as compiled from review of laboratory reports and other substantiating documentation. KEARNS stated that at the crime scene, laboratory technicians located a total of 87 whole or partial fingerprints and/or palm prints. Of this total, 50 have been identified with MacDONALD family members, visitors to the residence and military personnel present at the crime scene. During the processing of the latent fingerprints, 7 prints identified as of sufficient detail for comparison purposes were "lost" because the powder used in surfacing the prints subsequently filled spaces between the print ridge lines thus obliterating identifiable ridge lines needed for comparison purposes. Therefore, 30 prints remain unidentified.

Although not identified as fingerprints located at the crime scene, two pieces of blood evidence apparently identify themselves as fingerprint evidence. The first, a bloody impression located on the top page section of the closed magazine "Esquire" which was pinned underneath the edge of the overturned coffee table in the living room, is believed by fingerprint technicians to be a fingerprint left by an unknown person. Due to the fact that this impression was left on the top page area of the closed magazine, sufficient characteristics are not present to use it for comparison purposes. The blood type in this impression has been identified as A or AB (Colette or Kimberly MacDONALD respectively).

A second bloody smudge in the general configuration of a fingerprint was located on the outside area of the sliding cabinet door to the linen closet next to the main bathroom. This particular "print" was not suitable for comparison purposes because it lacked sufficient detail, however, blood type in the "print" was identified as type B (the same as that of Jeffrey MacDONALD). (EXHIBIT "N")

KEARNS, in an additional written statement, sets forth a listing of the more crucial physical, circumstantial and negative evidence developed at the crime scene. The statement is a general recapitulation of evidence factors. (EXHIBIT "O")

Autopsy Results and Related Medical Information

North Carolina State Board of Health, Office of Vital Statistics, Certificates of Death were obtained for each of the decedents. The certificates are all dated 17 Feb 70 and reflect that Colette, Kimberly and Kristen MacDONALD died at Ft Bragg, Cumberland County, NC, at an unknown time on 17 Feb 70. They were pronounced dead by NEAL at 0515, 17 Feb 70. (EXHIBITS "P," "Q," and "R")

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Dr (MAJ) George E. GAMMEL, Pathologist, Womack Army Hospital, submitted the Clinical Record - Autopsy Protocol and related documents pertaining to the autopsy he conducted on Colette MacDONALD on 17 Feb 70. GAMMEL's report, in summary, relates that Colette MacDONALD died as a direct result of multiple stab wounds of the thorax and neck.

GAMMEL detailed the wounds of Colette MacDONALD as three "rather deep" lacerations. The first at the right temple which also was evidenced by the fact that a fragment of skin was apparently missing. This wound was occasioned by a large ecchymotic area (black and blue area) over the right eye; the second laceration was located over the left temple and the third was found at the midline of the forehead.

The report also contains a discussion of a fourth smaller laceration above the right ear and continues with a coverage of a small superficial laceration of the upper lip. GAMMEL's report includes a description of extensive bruising in the area of the right front chin and mentions a smaller bruise which was discovered on the left front chin.

The autopsy report documents that GAMMEL located 9 deep incisional wounds at the front of Colette MacDONALD's neck; that 7 additional incisional wounds were located in her chest area; four of the latter stab wounds were in the upper center chest, two at the left chest and the remaining stab wound was found in the right chest area. GAMMEL's autopsy identified 21 small puncture wounds - most of these were over her left breast and 3 similar small puncture wounds were found on the front of the left arm.

Numerous bruises and superficial abrasions were found on the body of Colette MacDONALD. In addition, the autopsy submitted by GAMMEL covers the fact that Colette MacDONALD's right wrist was fractured and the inner aspect of her upper arm bore an extensive bruise and superficial abrasion. The fingers and hand of the right arm were noticed to have extensive superficial ecchymotic areas (black and blue areas) associated with abrasions. Her left arm was also fractured in two places and there were several black and blue areas on the right leg with the largest being at the front of the thigh. Additionally, several superficial excoriations (scratches) were located on the right lower leg.

GAMMEL identified two distinct types of penetrating wounds. He pointed out that of the 21 small round puncture wounds present over the thorax and upper left arm, many penetrated to a depth of about 4 cm. He described the stab wounds as 16 elliptical gaping incisional wounds with sharp edges, 1.5 cm in length and penetrating maximally about 4 cm in depth. GAMMEL's report shows that the lungs, trachea and pulmonary artery revealed incisional wounds with subsequent massive internal hemorrhage. Most of the wounds, according to the report, appeared to be perpendicular to the surface of the body and no significant angulation was noted.



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In the report GAMMEL further stated that there was also a skull fracture present immediately beneath the mid-line laceration (center of forehead).

GAMMEL placed the time of death of Colette MacDONALD at about 0300, 17 Feb 70 but qualified this statement by remarking that, "This figure is only an approximate as many factors are assumed and individual variation has in practice been extreme."

GAMMEL's report also indicates that a small amount of Diphenhydramine (Benadryl) was present in the liver and urine and also a small amount of Ethanol (alcohol) was noted in the blood (0.3 mg per ml). All other toxicologic tests (for dangerous drugs and narcotics) were negative.

The autopsy report of GAMMEL also revealed that Colette MacDONALD was pregnant, 4-5 months gestation, and it revealed a male fetus with no gross deformity noted. An examination of smears of the vaginal contents revealed "apparent degenerating spermatozoa heads without tails (indicative of the sperm being deposited about 72 hours before the smears were taken on the morning of 17 Feb 70).

Dr (CPT) William F. HANCOCK, Pathologist, Womack Army Hospital, submitted the Clinical Record - Autopsy Protocol and related documents pertaining to the autopsy he conducted on Kimberly MacDONALD on 17 Feb 70. HANCOCK's autopsy report revealed that Kimberly MacDONALD sustained multiple blunt blows to the head that were considered sufficient to cause concussion and comatose state and possible immediate death.

HANCOCK detailed the wounds of Kimberly as being 8-10 penetrating incisional wounds of the approximate center right neck area and since they overlapped it was not possible for HANCOCK to come to an exact number of the wounds. A small irregular shaped wound was also located on the left neck area of Kimberly MacDONALD.

The autopsy details that the right cheek, right ear and right mastoid area had overlapping black and blue marks and irregular abrasions. Kimberly MacDONALD's right eye was recessed and she had a fractured nose which was deviated to the right.

The report submitted by HANCOCK identifies a minor black and blue mark as being located on the left thigh and one other minor black and blue mark on each shin.

In the report, HANCOCK stated that the lacerations of the trachea were at least in part inflicted before death and in conjunction with the

SUBSTANTIATION (Continued)

head injuries were sufficient to cause death; that the blows to the head were most likely sustained prior to the neck wounds. HANCOCK also stated that the impact of the blows to the head was considered severe based upon the fact that the base of the skull showed multiple fractures and the right calvarium (dome portion of the skull) was fractured through its entire thickness and slightly dislocated. HANCOCK pointed out that the black and blue and contused areas of the brain of Kimberly MacDONALD are consistent with blows sustained to the right lateral skull and the frontal area, most probably on the left frontal side; that the blows are most likely multiple on the right side of the head, however, the number of blows cannot be established but it appears that at least two were sustained. The direction of the blows also is slightly equivocal according to HANCOCK but he reported that it appears they varied from the horizontal by only a few degrees. He could not establish whether the blows were sustained from the the front or rear, nor could he determine the position of Kimberly MacDONALD's body at the time the blows were given.

HANCOCK stated that the lacerations of the neck were consistent with stab wounds caused by a single-edged sharp instrument that gave wounds half an inch in width and penetrated at least 5 cm in depth. HANCOCK opined that the stab wounds appear to have entered at right angles to the prone body in the head to toe plane but primarily from right to left with reference to the side-to-side plane of the prone body.

HANCOCK concluded in his report that the time of death of Kimberly MacDONALD would be the evening of 16 Feb 70 to 0342, 17 Feb 70; that the time of death in relation to that of Colette MacDONALD and Kristen MacDONALD could have occurred before, in close proximity to, or later than either. HANCOCK also advised that no toxicological examinations were accomplished during the autopsy of Kimberly MacDONALD. (EXHIBIT "T")

Dr HANCOCK also submitted Clinical Record - Autopsy Protocol and related documents pertaining to the autopsy he performed on Kristen MacDONALD on 17 Feb 70. The autopsy revealed that Kristen MacDONALD died as a result of bleeding to death from multiple stab wounds to her heart.

In the report, HANCOCK stated that Kristen MacDONALD sustained gaping incisional wounds in the chest and a fifth similar wound in the neck; that he also located 5 circular-type wounds that appeared to penetrate deeply into the chest. Also on the right half of the chest were 10 similar circular shaped wounds, however, these wounds did not appear to penetrate deeply. The neck of Kristen MacDONALD, according to HANCOCK's report, also bore evidence of 2 circular wounds similar to the 10 previously mentioned. The two neck wounds also were shallow in

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their penetration of the right and center areas of the neck.

HANCOCK located multiple minor petechiae (pin point marks of hemorrhage shown on the skin) and three areas of minor bruising on the left lateral neck region. HANCOCK also located a small black and blue mark on the left portion of Kristen MacDONALD's chin.

HANCOCK continued in his autopsy report that the superior portion of Kristen's right shoulder showed three areas of superficial abrasions of the skin with the underlying fatty tissue intact and that the skin was heaped up at the posterior border of the wound. He stated that the right lateral neck also had three superficial abrasions.

The autopsy report contains information to the effect HANCOCK also located a minor subcutaneous black and blue area approximately 1 cm in diameter on the right lateral buttocks of Kristen MacDONALD, and a minor bruise on the right elbow.

In describing wounds to the back of Kristen MacDONALD, HANCOCK pointed out in his report that 12 gaping incisional wounds were located in the upper back. Of the 12, 10 of the wounds were situated in the upper posterior back and 2 other wounds were located over the shoulder blade.

HANCOCK related in the autopsy report that a superficial incised wound was also located on the back of the index finger of Kristen MacDONALD, and yet another superficial wound was located on the back of the same hand.

In describing wounds to the right hand of Kristen, HANCOCK further stated in his report that there was a through and through laceration of the skin involving the middle of the ring finger. The back of the middle finger on the right hand showed 3 superficial incisions. The index finger of the right hand on the palmer surface revealed a triangular flap of skin and the skin, according to HANCOCK, had apparently been incised from the subcutaneous tissue.

HANCOCK's autopsy report also notes that he located, in the web between the index finger and thumb of the right hand, a superficial incision with a sharp border measuring about 1.0 cm in length.

HANCOCK in the autopsy summary section of his report stated that the incisional wounds at the anterior and posterior chest and anterior neck of Kristen MacDONALD appeared to be at right angles to the prone body in its head to toe plane, but from multiple angles (or slants) from the side to side (or right to left) plane. The rotational angle of the instrument was varied and spacing of the wounds presented no pattern other than being primarily in the approximate body midline and in approximate collections of 4-5 wounds

SUBSTANTIATION (Continued)

per group. He also noted that the posterior gaping incisional wounds were more ecchymptic (black and blue) in the subcutaneum than were the anterior incisional chest wounds. HANCOCK further stated that the incisional wound involving the neck and trachea of Kristen MacDONALD showed only minor interstitial (spaced) hemorrhage and the intra-tracheal bloody fluid was unclotted. HANCOCK pointed out that these latter two factors (minor spaced hemorrhage and unclotted bloody fluid) suggest that the stab wounds to the neck and anterior chest were probably sustained after death or when she was nearly dead.

HANCOCK explained that the circular puncture type wounds did not penetrate sufficiently deep to be considered lethal; that the angle of these blows is at right angles to the plane of the prone body in both North-South and East-West directions.

HANCOCK, further, characterized the abrasions on the right of the neck of Kristen MacDONALD and upper shoulder as apparently made by a blunt object and those of the shoulder show a heaping of the skin at the lower edge of the abrasions which suggest that the blows were sustained in a downward motion.

According to HANCOCK, the contusions of the left neck, left chin, right buttocks and right elbow of Kristen MacDONALD which show no superficial markings suggest causation by contact with a non-specific, most probably soft object, of variable force.

HANCOCK placed the time of death of Kristen MacDONALD from early evening of 16 February 70 until known dead at 0342, 17 February 70. He could not place the time of death in relation to that of the other decedents, Colette and Kimberly MacDONALD. HANCOCK emphasized that there is no specific data related to the murders at hand and that variable influencing judgement of time of death are numerous and of considerable magnitude. (EXHIBIT "U")

A copy of medical records documenting the treatment of Jeffrey MacDONALD at Womack Army Hospital was obtained. The medical reports reflect that Jeffrey MacDONALD was admitted to Womack Army Hospital Emergency Room at about 0415, 17 Feb 70; that he was first treated at the Emergency Room by a Dr (MAJ) William H. STRAUB, the medical officer on duty. STRAUB diagnosed Jeffrey MacDONALD's injuries as a 20% pneumothorax (partial collapse of the lung) caused by a stab wound that apparently punctured the right lung. Thereafter he was treated by the surgeon on duty, Dr (MAJ) Severt H. JACOBSON who made the same diagnosis as STRAUB and then completed the initial medical reports detailing Jeffrey MacDONALD's injuries. In this report, JACOBSON noted the pneumothorax, identifying the wound in the right chest area as "1 cm break in skin." He further identified dried blood as being around Jeffrey MacDONALD's mouth but no injury in the mouth area.

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that there was swelling and hemotoma (bruise) at the midline of his forehead; a superficial laceration was also located on the right upper quadrant of the abdomen and another laceration measuring 1.5 cm was located on the upper left arm. JACOBSON furnished his overall impression of the wounds as "1. 20% right pneumothorax. 2. Multiple superficial lacerations. 3. Contusion of forehead."

The record further reflects that Jeffrey MacDONALD's medical treatment for the most part entailed the surgical insertion of a chest tube to relieve the pneumothorax; this insertion was made on 17 Feb 70 and the tube was removed on 20 Feb 70. Jeffrey MacDONALD was released from the hospital in a duty status on 26 Feb 70. Other comments in the record reflect that on 21 Feb 70 he was allowed to leave the hospital on pass to attend the funeral of his wife and children. The record also contains a notation in the Nursing Notes Section of the report for the period 1400, 23 Feb 70, to the effect a half-filled bottle of "Cold Duck" (champagne) was located in Jeffrey MacDONALD's room and removed from the room by the medical corpsman who made the discovery. (EXHIBIT "V")

STRAUB also furnished a written statement wherein he advised that when he first saw Jeffrey MacDONALD at the Emergency Room of the hospital he was in a very excited state but his condition was good; that his blood pressure and all vital signs were stable. He described the wounds of Jeffrey MacDONALD as a puncture wound to the right chest which punctured the lung and caused a partial collapse; that there was a bruise on his left forehead and that Jeffrey MacDONALD had also sustained a stab wound on the upper left abdomen and a puncture wound on the upper left arm. STRAUB also stated that there was blood on Jeffrey MacDONALD's face and that at this time Jeffrey MacDONALD remarked that he would "get them, whoever did this," and that he also asked how his family was. (EXHIBIT "W")

In a signed sworn statement, JACOBSON described in some detail his observations and treatment of Jeffrey MacDONALD on the morning of 17 Feb 70. According to JACOBSON, he was called to the hospital Emergency Room about 0430, 17 Feb 70 to check Jeffrey MacDONALD for a chest wound. He noted that all vital signs were good but that X-ray revealed a partial collapse of the right lung. When he first examined him, JACOBSON noted that a bruise on his forehead was moderately swollen, but the skin was not broken. JACOBSON continued, saying that he located a superficial laceration of the upper left arm; a small puncture wound in the right lower anterior chest and a superficial laceration of the upper left abdomen. He also saw dried blood on Jeffrey MacDONALD's lips and hands. In addition, JACOBSON saw that there was a small superficial laceration on the left index finger.

JACOBSON further stated that Jeffrey MacDONALD did not appear to be in medical shock but seemed to be alert, very observant and made remarks about his chest bubbling. Jeffrey MacDONALD's wounds were not bleeding

SUBSTANTIATION (Continued)

very much and he was not very bloody and seemed concerned over his wife and children; that he was visably shaken, but controlled.

JACOBSON advised that Jeffrey MacDONALD told him that he was sleeping on the couch because the baby had wet the bed; that he was wakened by someone beating on him and he recalled seeing a blonde female with a candle and she was saying "Kill the pigs"; that another of his assailants had a bat and that the man with the bat and a man with a knife hit him. JACOBSON recalled that he also mentioned something about leaving the doors open or unlocked and at one point stated, "Tell the MPSs and CID that I pulled the knife from my wife's chest and threw it on the floor." Jeffrey MacDONALD, according to JACOBSON, claimed there were four people in the group that attacked him.

JACOBSON concluded that the same weapon or instrument could have been used to inflict the (stab) wounds to Jeffrey MacDONALD and that the weapon or instrument would have had a small tapered blade and, also it would not have taken very much strength to inflict the wounds. (EXHIBIT "X")

SP6 Michael D. NEWMAN, medical corpsman on duty at the Womack Hospital Emergency Room on the morning of 17 Feb 70, in a written statement advised that he was present in that facility when Jeffrey MacDONALD arrived for treatment at about 0415-0430, 17 Feb 70. According to NEWMAN, he helped move Jeffrey MacDONALD from the ambulance stretcher to the emergency room stretcher and upon finding the chest wound placed a baseline gauze pad over it. He continued checking Jeffrey MacDONALD for wounds and discovered that he had the wound described above to the right chest, a small laceration to the abdomen and an abrasion on the forehead. Further, that the skin was broken on the forehead abrasion. He said he observed a small amount of blood around each wound and that there was blood on his face where it appeared he had wiped his face with his hands. NEWMAN said he also removed Jeffrey MacDONALD's pajama bottoms during this examination and that they were probably thrown away; that they are described as blue in color and the leg seams in the crotch area were torn and he observed a moderate amount of blood on the pajama bottoms.

NEWMAN further advised that while in his presence Jeffrey MacDONALD made various statements regarding the assaults; that these included remarks to the effect there was one female Caucasian assailant, one male Caucasian and two Negro males; also that the female stated "Acid is groovy, kill the pigs, kill the pigs." NEWMAN related that Jeffrey MacDONALD said that he was sleeping on the couch because the baby had wet his bed; that he was reading and fell asleep and woke up when someone was beating him. Jeffrey MacDONALD also said his children were screaming "Daddy help!", and then they stopped. NEWMAN recalled that he claimed to have checked his wife

SUBSTANTIATION (Continued)

for a pulse but couldn't find one and that Jeffrey MacDONALD also claimed that he pulled a knife from her chest. Jeffrey MacDONALD also told NEWMAN that he heard his wife screaming for help and that she said, "What are they doing", or words to that effect.

NEWMAN, in conclusion advised that when Jeffrey MacDONALD first arrived at the emergency room he was in somewhat of a hysterical state but NEWMAN felt that he was fully aware of what he was saying and also that Jeffrey MacDONALD was totally aware of what was going on and what the medics were doing and that he was cooperative. (EXHIBIT "Y")

SGT Kenneth H. GILLESPIE, also a medical corpsman on duty at the hospital when Jeffrey MacDONALD arrived for treatment furnished a written statement. In his statement, GILLESPIE advised he assisted in the initial treatment of Jeffrey MacDONALD and that during this time he observed wounds described as a stab wound on the right side of his chest, a wound on the upper left arm and another wound on the lower left abdomen; that the latter two wounds appeared to be superficial slash type wounds and there was a small amount of blood around them. According to GILLESPIE the chest wound also had blood around it but it was not bleeding; that he also had blood on his face as if he had wiped his hand across it.

GILLESPIE noted that while he was in Jeffrey MacDONALD's company he heard him say that his assailants were two Negro males, one male Caucasian and one female Caucasian; that the female kept saying, "Groovy, kill the pigs", and she had blonde hair, was wearing a big white hat, wore white boots and was holding a candle. GILLESPIE further noted that while he was assisting in removing Jeffrey MacDONALD from the ambulance, he said something about his wife not breathing and that he pulled the knife out of her chest. He was also told by Jeffrey MacDONALD that the children were screaming, "Daddy, Daddy", but he could not help them. GILLESPIE stated that Jeffrey MacDONALD claimed he had been knocked out and that he woke up in the hallway and saw his wife lying on the floor with the knife in her chest; that she wasn't breathing and that his children had stopped screaming. (EXHIBIT "Z")

A written statement was obtained from SSG Wallace C. HENNIGER, medical corpsman on duty at the hospital emergency room at the time of Jeffrey MacDONALD's arrival. According to HENNIGER while in the emergency room, Jeffrey MacDONALD stated that he had seen a blonde girl and she stated, "Acid is groovy!"; that in addition to the female there were two Negro males and a male Caucasian and all were dressed in hippie clothes. During the emergency room treatment, HENNIGER observed that Jeffrey MacDONALD appeared to be "scared and shook" but was not in shock. HENNIGER said that he did not have much on him but he did see some blood on the right side of his

SUBSTANTIATION (Continued)

neck. HENNIGER opined that Jeffrey MacDONALD could have walked in the hospital and it would not have harmed him or caused him any serious complications. HENNIGER concluded that after Jeffrey MacDONALD arrived on Ward 2D of the hospital he was heard in a discussion with a doctor and they were discussing a patient they had treated jointly and Jeffrey MacDONALD did not stutter or seem in great pain at the time. (EXHIBIT "A-1")

SP5 Donald R. JEFFERY, a medical corpsman assigned to ambulance duty on the morning of 17 Feb 70 furnished a written statement to the effect he was notified at about 0350, 17 Feb 70 that he and his ambulance driver PFC Juan C. CASTELAN, were to proceed to 544 Castle Drive to pick up victims of a stabbing. Upon arrival they learned that only Jeffrey MacDONALD was alive and he and CASTELAN then entered the quarters with a stretcher, using the front entrance. They went to the east (master) bedroom and placed Jeffrey MacDONALD on the stretcher but as they were exiting the quarters by returning back down the hallway towards the front exit he attempted to get off the stretcher. As they passed the bedroom on the left side of the hallway (that of Kimberly MacDONALD), Jeffrey MacDONALD grabbed for the door to the room and said, "I've got to get to my kids and see if they're OK"; that Jeffrey MacDONALD was crying and his speech was broken when he said this.

JEFFERY noticed that the crotch of Jeffrey MacDONALD's pajama bottoms were torn but he didn't see if they were damp or bloody. He saw blood on Jeffrey MacDONALD's chest but he didn't appear to be very bloody; that he also saw three puncture holes which appeared to have been made by a small knife and these appeared in his "frontal area."

Enroute to the hospital, according to JEFFERY, he heard Jeffrey MacDONALD say that he needed some fluids in his body because he was going to pass out and was going into shock. He also told the medical corpsmen while he was still in the quarters to elevate his feet; that at that time it was the first time he told them he was going into shock. JEFFERY stated that he learned from CASTELAN that while in the ambulance, Jeffrey MacDONALD said that his wife had called out to him, "Help me Jeff, help me Jeff but I just couldn't get to her" and JEFFERY also heard Jeffrey MacDONALD make this same statement inside the quarters when he was being placed on the stretcher. (EXHIBIT "B-1")

CASTELAN in a written statement furnished basically the same information as JEFFERY regarding his activities at the MacDONALD residence on 17 Feb 70. In addition he advised he only observed blood on the left bicep of Jeffrey MacDONALD and he does not remember what Jeffrey MacDONALD was wearing at the time he first saw him. CASTELAN did recall that Jeffrey MacDONALD was crying while inside the residence.



SUBSTANTIATION (Continued)

In the ambulance Jeffrey MacDONALD said he heard the kids crying but then they stopped. (EXHIBIT "C-1")

PV2 John R. NUCHERENO, ambulance driver, executed a written statement regarding his activities on the morning of 17 Feb 70. NUCHERENO advised that he was instructed to send two ambulances to the MacDONALD residence and that upon his arrival at the scene he was informed by military police that Mrs MacDONALD and the two girls were dead; that he observed Jeffrey MacDONALD on the floor of the east (master) bedroom and that Jeffrey MacDONALD appeared to be going into a state of shock. NUCHERENO explained that Jeffrey MacDONALD stated he was a doctor and that he had checked his wife and she had stopped breathing; that he then said he had pulled a knife out of her chest. NUCHERENO also recalled that Jeffrey MacDONALD maintained that he heard his wife screaming to him, "Jeff, why are they doing this to me?"

NUCHERENO also explained that while enroute to the hospital, Jeffrey MacDONALD stated that "She was saying this is really groovy, hit him again." then Jeffrey MacDONALD said, "My God she was pregnant." NUCHERENO reported that Jeffrey MacDONALD told him that he heard his kids screaming and he asked NUCHERENO how they were. He said that Jeffrey MacDONALD was wearing only pajama bottoms when he saw him and that he observed only two wounds on him, one on his upper arm and one in his chest; that he did not appear to be seriously hurt. (EXHIBIT "D-1")

PV1 James W. PAULSEN, another medical corpsman, furnished a written statement regarding his activities at the scene. He stated that his activities included checking each of the decedents to verify their death; that he touched the arm (left) of Kimberly MacDONALD and could not feel a pulse and she was cold to the touch; that he did not touch Kristen MacDONALD but merely looked at her and could tell she was dead. PAULSEN said he did not examine Mrs MacDONALD.

According to PAULSEN, while he was in the quarters, he had to wait for a length of time in order to remove the bodies of the female MacDONALD victims; that during this period he was standing in the living room of the house and observed a wallet, on a desk in the living room; that he took the wallet, which he later determined to be that of Jeffrey MacDONALD, and put it in his pocket. Thereafter he was told to return to the hospital and wait there until called to remove the bodies. He stated that prior to leaving the quarters this first time the fact that the wallet was missing was discovered by the CID, who conducted searches of all those present to include PAULSEN but he had already secreted the wallet in his ambulance. PAULSEN stated a subsequent search of his ambulance by military police did not reveal the wallet which he had hidden behind the sunvisor. PAULSEN then returned to the hospital and in the vicinity of the hospital threw the

SUBSTANTIATION (Continued)

wallet, minus six dollars, which he stole, from his vehicle. He stated he did not steal or touch anything else in the residence. (EXHIBIT "E-1")

PAULSEN executed a second written statement wherein he clarified certain points made in the statement set forth above. These clarifications included the fact that he made certain observations while inside the residence but again he did not steal anything but the wallet. (EXHIBIT "F-1")

SP4 Leonard J. MAKI, who had been an out-patient at Womack Army Hospital on the morning of 17 Feb 70, furnished a written statement to the effect he located Jeffrey MacDONALD's discarded wallet on the ground in the outside area of the hospital at about 1330, 17 Feb 70. He stated that the wallet did not contain any money; that he did not know who had discarded the wallet and he turned the wallet in at his unit when reporting his discovery. (EXHIBIT "G-1")

The remaining MacDONALD family medical records on file at the hospital were obtained and none of these records were directly related to the offense under investigation. MacDONALD's medical records reflect he had an eye examination 7 Jul 69 at Ft Sam Houston, TX and this examination determined he was near-sighted. (EXHIBIT "H-1")

A record was located in the Out-patient Medical Records file concerning Kristen MacDONALD which documented that on 17 Oct 69 she was treated at the hospital as an out-patient to pharyngitis (sore throat). (EXHIBIT "I-1")

An out-patient record was also located for Collette MacDONALD which details her visit to the hospital on 12 Feb 70 to begin her pre-natal care. She received several examinations and indicated that she had her last menstrual period 22 Sep 69, and her baby was due to be born on about 29 Jun 70. (EXHIBIT "J-1")

No out-patient medical record was located for Kimberly MacDONALD.

A joint Report of Psychiatric Evaluation concerning Jeffrey MacDONALD was submitted by Dr (LTC) Bruce H. BAILEY, Dr (LTC) Donald W. MORGAN and Dr (MAJ) Henry E. EDWARDS, Walter Reed Army Medical Center, Washington, DC, regarding their examination of Jeffrey MacDONALD during the period 17 Aug - 4 Sep 70.

In their report, BAILEY, MORGAN and EDWARDS concluded that at the time of the murders, Jeffrey MacDONALD was free from mental disorder, defect or derangement, and with regard to the acts alleged, knew the difference between right and wrong, could adhere to the right and was capable of cooperating in his own defense. Regarding his mental ability at the time

SUBSTANTIATION (Continued)

of the murders it was their opinion that Jeffrey MacDONALD experienced no mental disease, defect or derangement which would have deprived him of the mental ability to form specific intent with regard to the acts.

The three pointed out in their report that they were asked to express an opinion in two other areas: (a) "Was this subject capable of committing this act?" (murders) - (b) "On the possibility that he committed this act, is he capable of hiding this from himself and/or the evaluators?" They related that in answering these two questions they conferred jointly and with the benefit of a civilian consultant in forensic psychiatry and that their answer regarding capability is that it is possible; that it was their strong opinion that the medical expert is not especially qualified to offer a further opinion as to probability in this matter. With regard to capability of hiding the facts related to murders, it was their opinion that this was possible.

BAILEY, MORGAN and EDWARDS concluded that their evaluation was designed to search for a mental disorder and that they found no significant disorder except for a "current depression of significant proportions" in Jeffrey MacDONALD. (EXHIBIT "K-1")

Dr Russell S. FISHER, M.D., Chief Medical Examiner, Department of Post Mortem Examiners, State of Maryland, submitted various documents relating to his review of medical and investigative records and interviews he conducted at the request of the Army in the role as a special medical consultant in this investigation.

A copy of a transcript of interviews FISHER held at Ft Bragg with the physicians treating Jeffrey MacDONALD and those persons conducting the autopsies was obtained. This transcript covers FISHER's questioning of the military physicians and their answers regarding detailed observations they made in the treatments mentioned. (EXHIBIT "L-1")

As a result of the interviews set forth in the latter Exhibit ("L-1") and additional investigative activity, FISHER submitted a written report of Autopsy findings. The most significant of his comments are summarized as follows:

At least two instruments were used in the stabbing of Colette MacDONALD, one being of the nature of an ice pick and the other of a paring knife.

The size and pattern of the stab wounds to Kimberly MacDONALD are consistent with their being inflicted with a paring knife.

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The major pattern of the stab wounds to Kristen MacDONALD is compatible with a paring knife, but there were additionally a number of small round wounds on the front of the chest which may constitute ice pick stab wounds.

All of Jeffrey MacDONALD's wounds are compatible with self-infliction. Taken together they do not support the allegation of a significant physical attack by one or more assailants.

Regarding the sequence of events in the murders, FISHER's evaluation was to the effect that while all of the details of the sequence cannot certainly be reconstructed, the presence of footprints in type A (Colette MacDONALD) blood in the north bedroom (bedroom of Kristen MacDONALD) indicates that Colette MacDONALD was in this bedroom at the time of or after the initial phase of her injuries took place. Colette MacDONALD subsequently sustained injuries while in the east (master) bedroom where she died.

Kimberly MacDONALD according to FISHER's evaluation, sustained injuries, most probably a blunt injury, to the head while standing within or near the doorway of the east (master) bedroom. She sustained further injuries in the south (Kimberly's room) bedroom in her bed, where she died.

FISHER related that Kristen MacDONALD sustained all of her injuries in the north (her own) bedroom and there is no evidence to refute the assumption that they were all sustained while she was in her bed.

Regarding the distribution of fibers in the residence from the pajamas of Jeffrey MacDONALD, FISHER opined that those found under the body of Colette MacDONALD on the floor in the east (master) bedroom are most logically explained by the presumption that the tearing of the pajama top occurred in that bedroom and at a time when Colette MacDONALD was still in a semi or erect position and that she subsequently collapsed to the carpet with her body resting on the fibers. Similar fibers were subsequently carried to the south (Kimberly's) bedroom either as Kimberly MacDONALD was being moved from the east bedroom (master) to the south bedroom or at some time subsequent to her reaching her bed.

FISHER advised that the piece of wood located outside the residence that bore human blood, types A and AB, (Colette and Kimberly MacDONALD) is considered to be the weapon that inflicted the blunt injuries on Colette and Kimberly MacDONALD; that the paring knife found near the piece of wood is indicated to be the paring knife which inflicted many of the stab wounds of the victims; that clearly these weapons were deposited outside of the residence after the attacks were carried out. FISHER further advised that it cannot be established positively that the paring knife located in the

SUBSTANTIATION (Continued)

east (master) bedroom made any of the wounds in the bodies of Kristen or Kimberly.

In discussing the time of death for the victims, FISHER pointed out that it was not possible to reconstruct accurately the time span over which the three victims (Colette, Kimberly and Kristen) were assaulted nor was it possible to reconstruct the time when the assaults occurred. He stated that Dr NEALS's observation that there was a distinct cooling of the bodies at 0400, 17 Feb 70 when he examined them suggests that the bodies had been dead more than one hour at the time he made the examination.

In conclusion FISHER further related that the position of the overturned coffee table in the living room cannot be adequately explained by it being pushed over during a struggle between two men, since sufficient pressure to topple it, causes it to turn completely upside down rather than to come to rest on its side; that his further opinions are:

The allegation that the deaths were caused by a group of "hippies" is unsupported by any factual evidence; that the distribution of threads from Jeffrey MacDONALD's torn pajama top under the body of Colette MacDONALD are logically explained by the conclusion that Jeffrey MacDONALD engaged in a struggle in the east (master) bedroom before her body came to rest on the floor. This conclusion does not support the statement of Jeffrey MacDONALD that while still wearing his pajamas he was in the living room during the attacks on Colette, Kimberly and Kristen MacDONALD.

FISHER closed his report by stating that the findings of the investigation are compatible with the conclusion that Jeffrey MacDONALD did personally cause the deaths of his wife and children. (EXHIBIT "M-1")

As a result of investigation, additional inquiries from CID were addressed to FISHER who in a report of 5 Apr 71 advised in certain areas, that his evaluation of the investigation to that date revealed the following:

In making an identification as to whether the assailant stabbing the three MacDONALD females was left handed or right handed an inference could not be made since the relative position of the assailant to the victims is unknown. The only one in which there is a suggestion of position is in Kimberly MacDONALD where an impression is gained that the wounds extend somewhat to the right as they go into the neck structures. If she was in the position, on the right side of the bed as located during the crime scene search - but lying on her back, then there is a suggestion that these wounds were inflicted by a right handed person.

SUBSTANTIATION (Continued)

Regarding which wounds to the victims would have eventually caused death, the blunt trauma to Kristen MacDONALD (bruised neck) was relatively insignificant. In the case of Kimberly MacDONALD the blunt injuries to the head or the knife wounds of the neck would likely have been fatal. In the case of Colette MacDONALD the knife wounds of the chest would have been rapidly fatal. Her blunt injuries, while capable of causing death, need not have been fatal within a few minutes.

Certain ice pick wounds to the chest of Kristen MacDONALD were peculiar since they did not penetrate deeply as did the knife wounds. Since the ice pick was relatively sharp they should have penetrated deeply if wielded with force equal to that used with the knife.

Regarding the abraded area partially encircling the right bicep of Colette MacDONALD it can be stated that it somewhat resembles a "rope burn." It could represent a very hard impact from the relatively sharp edge of the wooden club which flattened the underlying muscle. It is also possible that it resulted from some kind of stretching or pulling of a garment tightly encircling the arm.

In estimating the number of blows struck to the face and head of Kimberly MacDONALD an exact count is difficult, however, from the injuries it is obvious that the number must have been half dozen or more.

The abrasions to the mouth of Colette MacDONALD indicate blunt impacts, and the injuries to her left forearm indicate blunt impacts with a club.

The abrasion on the right side of Kristen MacDONALD's neck could conceivably have occurred by the twisting or pulling of a garment.

The stab wounds to the back of Kristen MacDONALD appear to be perpendicular to the body with the body lying in the prone position.

It was impossible to determine where Colette MacDONALD was located when she received her fatal injuries. Many of the injuries may have been sustained elsewhere than where the body was found. Kimberly MacDONALD very probably sustained her fatal stabs wounds to the neck while in bed and if she were elsewhere when she sustained her blunt injuries she would have had to be carried to her bed. Blood (type AB - Kimberly) found at the door of the east (master) bedroom suggests blunt injuries sustained there. Regarding Kristen MacDONALD, there is nothing to indicate injuries were not sustained in bed.

Although it cannot be ruled out, it seems unlikely that Jeffrey MacDONALD sustained all of his wounds in hand-to-hand conflict with an

SUBSTANTIATION (Continued)

assailant. His wounds, or at least the absence of "slash type" wounds do not suggest hand to hand combat between two people, but rather in the case of the three females repeated maniacal stabbing of the non-resisting individual. In the case of Jeffrey MacDONALD the abdominal wound could be regarded as a slash type wound.

In general the stab wounds to the decedents are similar but this does not prove much, however, all could have been inflicted by one person.

All of Jeffrey MacDONALD's wounds could have been self-inflicted. (EXHIBIT "N-1")

Criminal Investigator IVORY, in a written statement of 7 Feb 71 sets forth details of a conference held with Dr James A. BRUSSEL, forensic psychiatrist. BRUSSEL advised that in his opinion a clear cut motive for the murders must be established; that an argument between Colette and Jeffrey MacDONALD could have started over the bedwetting in the east (master) bedroom but this by itself could not be considered the prime factor. BRUSSEL pointed out that there is evidence that Kimberly MacDONALD was carried from the east (master) bedroom to her own room and tucked into bed and this is not consistent with "hippies."

He also said that the female assailant's statement about "acid" rings false; that persons under the influence of LSD (Lysergic Acid Diethylamide) would not partake in such continued deliberate strenuous activity and that they would be lethargic.

BRUSSEL stated that if hippies committed the murders, which he personally does not believe, it would be the first case he has heard of where they would be carrying and using an ice pick and paring knives. He said they would be involved in ritualistic murders and would use daggers or similar ceremonial type weapons. Also, if hippies had wielded the piece of wood as a club, all of the blows would be hard and vicious, and the attackers would not have struck so many blows. BRUSSEL continued that hippies would have left evidence of their presence, particularly if they were under the influence of LSD. Of all the drugs in use by the hippie or drug communities, BRUSSEL is of the opinion that "speed" (methamphetamine) would make the persons act as described by Jeffrey MacDONALD.

BRUSSEL stated that rubber surgical gloves are not practical for washing dishes. He said in his opinion the children were killed because they were witnesses to the attack on Colette MacDONALD or each other. He

SUBSTANTIATION (Continued)

further stated that since the house was not vandalized and no food, drugs, narcotic paraphernalia or alcoholic drinks were consumed or stolen, young adults or hippies most probably did not commit the murders.

BRUSSEL said it should be kept in mind that the injuries to Colette MacDONALD's mouth could have come from a punch; that the best reconstruction of the crime appeared to be that an argument took place and a punch was delivered to Colette's mouth, then further blows resulted. It is more logical, he opined, to assume that an argument between Colette and Jeffrey MacDONALD took place and that after resulting blows, Colette MacDONALD went to Kristen's bedroom (where her blood was found on the top sheet); that there may have been many reasons for her going to that room with the best being that she was fleeing her husband.

BRUSSEL related the physical and negative evidence at the crime scene refutes Jeffrey MacDONALD's version of the attack. In BRUSSEL's opinion, Jeffrey MacDONALD is not telling the truth but this fact alone does not make him the accused. BRUSSEL requested he be furnished the psychological test results on Jeffrey MacDONALD and also the results of his Rorschach Test (Inkblot). (EXHIBIT "O-1")

Laboratory Examinations and Other Related Examinations

CPT Joel L. LESON, Project Officer, USA Criminal Investigation Laboratory, rendered a written statement regarding the designation of a laboratory team to process the crime scene of the MacDONALD residence and his opinion as to the manner in which the processing was accomplished. (EXHIBIT "P-1")

MSG Hilyard O. MEDLIN, Fingerprint Examiner, in a written series of notes sets forth details of the crime scene search as accomplished by the USA CID Laboratory personnel during the period 17 Feb through 23 Feb 70. (EXHIBIT "Q-1")

SP4 Craig S. CHAMBERLAIN, Chemist, USA CID Laboratory furnished a written statement incorporating notes he made of his activities within the crime scene during its processing. His notes also include an explanation regarding the identification system used in marking exhibits. (EXHIBIT "R-1")

LESON also submitted a consolidated laboratory report identified as Report Number FA-D-P-C-FP-82-70 which incorporates reports numbered from the first report, FA-D-P-C-FP-82-70-RI through the twentieth report numbered FA-D-P-C-FP-82-70-R20. Additional Laboratory Reports numbered from P-FA-D-C-FP-82-70-R21 through P-FA-D-C-FP-82-70-R36 were submitted



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by MEDLIN and CHAMBERLAIN and also, Mr Dillard O. BROWNING, DAC Chemist, Mr Arthur B. CONNERS, DAC Chemist, CW2 Roy E. HAAS, Fingerprint Examiner, SP7 Patrick V. GARLAND and CW2 Monty C. LUTZ, Firearms Examiners, Mrs Janice S. GLISSON, DAC Chemist, SP4 Robert L. VOGENTHALER, Chemist, CW2 Charles E. SHOMBER, Firearms Examiner, CW2 Ralph T. TURBYFILL and CW3 Charles A. HANNAH, Fingerprint Examiners, CW2 Louise T. MICHAUD, Apprentice Examiner of Questioned Documents, CW3 Raymond B. PORATH, Examiner of Questioned Documents and CW2 Kenneth L. WEBB, Apprentice Examiner of Questioned Documents.

The reports contain results of examinations in the categories mentioned below:

BLOOD EVIDENCE

Type A blood, the same as that of Colette MacDONALD's type was located as follows:

- (1) On the "Old Hickory" brand paring knife - the knife which was located outside the Utility Room door.
- (2) On the south radiator in the east (master) bedroom.
- (3) Near the south radiator in the east (master) bedroom.
- (4) On the curtain from the south window of the east (master) bedroom.
- (5) On the south closet door in the east (master) bedroom.
- (6) On the curtain from the east window in the east (master) bedroom.
- (7) On the east radiator in the east (master) bedroom.
- (8) On the east wall over the northeast corner of headboard of the bed in the east (master) bedroom.
- (9) On the sheet removed from the bed in the east (master) bedroom.
- (10) On three wooden splinters located on the floor area next to Colette MacDONALD's body in east (master) bedroom.
- (11) On the ceiling near the light fixture in east (master) bedroom.
- (12) In the word "PIG" written on headboard of bed in the east (master) bedroom.



SUBSTANTIATION (Continued)

- (13) On wall of hall bathroom in an area left of the sink.
- (14) On the north wall of the south (Kimberly's) bedroom about seven feet above the bed.
- (15) On wood portions of the hall floor removed from near the south (Kimberly's) bedroom.
- (16) From the upholstery on the green chair in the east (master) bedroom.
- (17) On the clothing (pajamas) of Colette MacDONALD.
- (18) On portions of the floor removed from the north (Kristen's) bedroom which appeared in the shape of a footprint.
- (19) On the multi-colored throw rug in the east (master) bedroom.
- (20) On the multi-colored bed spread found on the floor of the east (master) bedroom.
- (21) On the pillow cover which was taken to the hospital when Jeffrey MacDONALD was transferred there by ambulance - pillow previously in use on the bed in the east (master) bedroom.
- (22) From the pajama pocket of Jeffrey MacDONALD which was found in the east (master) bedroom.
- (23) On the quilted white bed pad in use on bed of east (master) bedroom.
- (24) On the floor area behind the headboard of the bed in the east (master) bedroom.
- (25) On the floor area near the north end table in the east (master) bedroom.
- (26) On the baseboard of the east wall in the east (master) bedroom.
- (27) On the rug under the head of the bed in the east (master) bedroom.
- (28) On the rubber rug mat under the rug on the east side of the head of the bed in the east (master) bedroom.

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SUBSTANTIATION (Continued)

- (29) On the lampshade on the north end table in the east (master) bedroom.
- (30) On a portion of the rug near the right leg area of Colette MacDONALD as she lay on the floor of the east (master) bedroom.
- (31) On a portion of the rug near the crotch and between the leg area of Colette MacDONALD as she lay on the floor of the east (master) bedroom.
- (32) On a portion of the rug near the hip area of Colette MacDONALD as she lay on the floor of the east (master) bedroom.
- (33) On a portion of the rug near the left elbow of Colette MacDONALD as she lay on the floor of the east (master) bedroom.
- (34) On a portion of the rug near the left armpit of Colette MacDONALD as she lay on the floor of the east (master) bedroom.
- (35) On the west wall of the north (Kristen's) bedroom.
- (36) In debris consisting of hairs and fibers found near the left hand and arm of Colette MacDONALD as she lay on floor of the east (master) bedroom.
- (37) On fibers and a portion of the rug near the north corner of the footboard of the bed in the east (master) bedroom.
- (38) On a piece of rubber surgical glove found in bedding on the floor of the east (master) bedroom.
- (39) On the rug mat under the rug and within the body outline of Colette MacDONALD as she lay on the floor of the east (master) bedroom.
- (40) On the torn pajama top of Jeffrey MacDONALD.
- (41) On the piece of wood found under the bush at the rear of the MacDONALD residence next to the Utility Room door.
- (42) On the green colored bedspread on the bed in the north (Kristen's) bedroom.
- (43) On the plastic sheet from the upper part of the mattress on the bed in the north (Kristen's) bedroom.
- (44) On portions of the dining room floor near the entrance to the kitchen.

SUBSTANTIATION (Continued)

- (45) On the blue sheet found on the floor of the east (master) bedroom.
- (46) On the white bath towel found on the abdomen of Colette MacDONALD as she lay in the east (master) bedroom.
- (47) On the pink colored blanket from the bed in the north (Kristen's) bedroom.
- (48) On the bottom sheet of the bed in the north (Kristen's) bedroom.
- (49) On a pair of white men's shoes removed from the open closet area of the east (master) bedroom.

Type AB blood, the same as that of Kimberly MacDONALD, was located as follows:

- (1) On the wall of the north side of the hallway.
- (2) On the purple bed cover on the bed in the south (Kimberly's) bedroom.
- (3) On the top sheet on the bed in the south (Kimberly's) bedroom.
- (4) On the bottom sheet on the bed in the south (Kimberly's) bedroom.
- (5) On the knitted collar used as a "security blanket" and located in the bed in the south (Kimberly's) bedroom.
- (6) On the bed mat removed from the bed in the south (Kimberly's) bedroom.
- (7) On the north wall of the south (Kimberly's) bedroom.
- (8) On a portion of the floor in the hallway.
- (9) On a portion of the hall floor near the east entrance to the east (master) bedroom.
- (10) On a portion of the dining room floor at the entrance to the kitchen.
- (11) On the clothing of Kimberly MacDONALD.
- (12) On a portion of the rug on the floor of the east (master) bedroom, near the west entrance.

SUBSTANTIATION (Continued)

(13) On the purple-brown quilt on the bed of the south (Kimberly's) bedroom.

(14) On a portion of the hall floor near the entrance to the south (Kimberly's) bedroom.

(15) On the bottom sheet of the bed in the south (Kimberly's) bedroom.

Type O blood, the same as that of Kristen MacDONALD was located as follows:

(1) On the lens (outer) of Jeffrey MacDONALD's eye glasses located on the floor near the south window of the living room.

(2) On the clothing of Kristen MacDONALD.

(3) On green colored yarn from the rug in the north (Kristen) bedroom.

(4) On the green throw rug in the north (Kristen's) bedroom.

(5) On a stuffed toy dog in the north (Kristen's) bedroom.

(6) On a portion of the floor near the east side of the bed located in the north (Kristen's) bedroom.

(7) Hairs, fibers, and miscellaneous debris from folded bedspread at foot of the bed in the north (Kristen's) bedroom.

(8) On the pillow cover from the bed in the north (Kristen's) bedroom

(9) On the plastic sheet on the upper mattress of the bed in the north (Kristen's) bedroom.

(10) On the plastic sheet on the lower mattress of the bed in the north (Kristen's) bedroom.

(11) On the hall baseboard at the entrance to the main bathroom.

(12) In the fingernail scrapings removed from the right hand of Kristen MacDONALD.

(13) On the plastic baby bottle located in the bed in the north (Kristen's) bedroom.

SUBSTANTIATION (Continued)

Type B blood, the same as that of Jeffrey MacDONALD's type was located as follows:

- (1) On the bottom south edge of the west door jamb in the east (master) bedroom.
- (2) On the step ladder located in the main bathroom.
- (3) On the wicker material moved from the stool in the main bathroom.
- (4) On the front and right side of the sink in the main bathroom.
- (5) On the edge of the south door of the closet at the east end of the hallway leading to the main bathroom.
- (6) On a portion of the hall floor near the west entrance to the east (master) bedroom.
- (7) On the kitchen floor, 1 foot 9 inches north of the northwest corner of the kitchen stove.
- (8) On the kitchen floor, 2 feet 6 inches north of the south wall and 2 inches east of the sink cabinets.

The following exhibits had more than one type of blood identified as being present, or had a mixture of blood types, or appeared as human blood and/or blood but could not be further identified due to contamination or because of the paucity of the stain present:

- (1) The pajama top of Jeffrey MacDONALD had blood types A (Colette MacDONALD), B (Jeffrey MacDONALD), and AB (Kimberly MacDONALD).
- (2) The piece of wood located at the rear of the MacDONALD residence to the northeast of the Utility Room door had blood types A (Colette MacDONALD) and AB (Kimberly MacDONALD).
- (3) The green bedspread located on the bed in the north (Kristen's) bedroom bore blood stains of type A (Colette MacDONALD) and AB (Kimberly MacDONALD).
- (4) The plastic sheet on the upper mattress in the north (Kristen's) bedroom bore blood stains type A (Colette MacDONALD) and AB (Kimberly MacDONALD).

SUBSTANTIATION (Continued)

(5) The portion of the floor at the entrance to the kitchen bore blood stains of type A (Colette MacDONALD) and AB (Kimberly MacDONALD).

(6) The blue sheet located on the floor of the east (master) bedroom bore blood stains of type A (Colette MacDONALD) and AB (Kimberly MacDONALD).

(7) The bath towel removed from the body of Colette MacDONALD bore blood stains of type A (Colette MacDONALD) and AB (Kimberly MacDONALD).

(8) Blood stains type A (Colette MacDONALD), O (Kristen MacDONALD) and AB (Kimberly MacDONALD) were located on the pink blanket on the bed in the north (Kristen's) bedroom.

(9) Blood stains type A (Colette MacDONALD) and O (Kristen MacDONALD) were located on the bottom sheet of the bed in the north (Kristen's) bedroom.

(10) Blood stains type A (Colette MacDONALD) or type O (Kristen MacDONALD) were located on the following exhibits: on the piece of rubber surgeon's glove located on the bed in the east (master) bedroom; from the south side of the bed (southern runner) in the east (master) bedroom; on the "Geneva Forge" brand knife found on the floor of the east (master) bedroom; on the pillow case from the pillow located on the bed in the east (master) bedroom; on the ceiling near the light fixture in the east (master) bedroom; on the footboard of the bed in the east (master) bedroom; on the inside of the west door jamb on the entrance to the south (Kimberly's) bedroom; on the headboard of the bed in the south (Kimberly's) bedroom; on the west wall of the south (Kimberly's) bedroom; on the north wall of the south (Kimberly's) bedroom; on the west wall above the north closet door in the east (master) bedroom; on a portion of the hall floor between the bathroom and the south (Kimberly's) bedroom; on a portion of the hall floor in front of the bathroom entrance; on a portion of the hall floor near the entrance to the east (master) bedroom; in red crusts found in Colette MacDONALD's hands; from the west wall of the north (Kristen's) bedroom; on the curtain of the window in the north (Kristen's) bedroom; on the "Geneva Forge" brand paring knife and on the footboard of the bed in the east (master) bedroom.

(11) Blood stains type B (Jeffrey MacDONALD) or type O (Kristen MacDONALD) were located on the following items: on the floor at the west end of the hallway and on the hall floor in front of the main bathroom.

(12) Blood stains type A (Colette MacDONALD) or AB (Kimberly MacDONALD) were located on the following exhibits: on the south closet door in the east (master) bedroom; on the pink tissue located

SUBSTANTIATION (Continued)

on the floor at the entrance to the main bathroom; on the pink tissue located in the sink bowl in the main bathroom; on the piece of rubber surgeon's glove located on the floor of the east (master) bedroom next to the body of Colette MacDONALD; on the pages at the top edge of the Esquire magazine found under the table in the living room; on portions of the floor (footprint) in the north (Kristen's) bedroom; on a white hand towel; on the north end table in the east (master) bedroom; on the wall baseboard behind the headboard of the bed in the east (master) bedroom.

(13) Blood stains type A (Colette MacDONALD), type AB (Kimberly MacDONALD) and type O (Kristen MacDONALD) were located on the north pillow and cover of the bed in the south (Kimberly's) bedroom.

(14) Blood stains type AB (Kimberly MacDONALD) or B (Jeffrey MacDONALD) were located on the front and right side of the sink in the main bathroom; on the south pillow and cover on the bed in the south (Kimberly's) bedroom and on the dining room floor near the entrance to the kitchen.

(15) Blood stains type A (Colette MacDONALD) and type AB (Kimberly MacDONALD) were located on a pair of white shoes, property of Jeffrey MacDONALD, located in the closet of the east (master) bedroom.

The report contains mention of the fact that human blood was found on the following items but blood typing examinations were precluded due either to the paucity of the stain or the contamination of the stain:

- (1) On the front of the dresser in the east (master) bedroom.
- (2) On a "Midnight Sun" shampoo box located in the east (master) bedroom.
- (3) On a white plastic hair brush located on the floor of the east (master) bedroom near the body of Colette MacDONALD.
- (4) On the east side of the door jamb on the main bathroom.
- (5) On the hall closet near the main bathroom entrance.
- (6) On the east (master) bedroom door jamb and on the north hall wall in that vicinity.
- (7) On the south wall of the hallway.
- (8) On the baseboard of the wall in the south hallway.



SUBSTANTIATION (Continued)

- (9) On the north wall of the hallway.
- (10) On the west door jamb at the entrance to the north (Kristen's) bedroom.
- (11) On the baseboard of the hall wall at the entrance to the main bathroom.
- (12) On the wooden splinter and debris off of the north pillow of the bed in the south (Kimberly's) bedroom.
- (13) On a portion of the hall floor near the south (Kimberly's) bedroom.
- (14) On a portion of the hall floor between the main bathroom and the south (Kimberly's) bedroom.
- (15) On a portion of the hall floor between the east (master) bedroom and the main bathroom.
- (16) On a portion of the floor located under the living room window.
- (17) On the east side of the clothes washer in the kitchen.
- (18) On the bottom-center area of the north kitchen door.
- (19) On the kitchen floor, 8 feet southwest of the north corner and 2 feet 2 $\frac{3}{4}$  inches from the northwest corner of the kitchen door.
- (20) On the kitchen floor 3 feet 4 $\frac{1}{2}$  inches northeast of the northwest corner of the kitchen stove.
- (21) On two (2) rubber dishwashing gloves located in the kitchen sink area.
- (22) Three cloth gloves (kitchen cooking gloves) located in the kitchen area.
- (23) On an olive drab colored Poncho (located in a residence in Fayetteville, NC, during investigation expanded to that area involving possible subjects but which proved to have no connection with this investigation.)
- (24) On the ice pick located during the crime scene search outside the Utility Room door of the residence.

SUBSTANTIATION (Continued)

(25) Portion of hall floor (partial footprint) near entrance to north (Kristen's) bedroom.

(26) In an area under the left portion of the kitchen sink.

The report contains another blood section paragraph which deals with the fact that stains identified only as blood were located on the following items and further examinations could not be made due to the paucity of the stains:

- (1) On the lamp shade on the dresser in the east (master) bedroom.
- (2) On the cloth toilet seat cover in the main bathroom.
- (3) On the wall of the north hall area.
- (4) On the wall of the north hall wall near the east (master) bedroom.
- (5) On the south door jamb of the east (master) bedroom.
- (6) On the south hall wall.
- (7) On the terry cloth robe found on the door of the east (master) bedroom.
- (8) On a pot holder in the kitchen.
- (9) On the top area of the toilet tank in the main bathroom.
- (10) In liquid removed from the sink trap in the main bathroom.
- (11) On the pillow which was used when medics transported Jeffrey MacDONALD to the hospital and which was removed from the bed in the east (master) bedroom.
- (12) From fingernail scrapings removed from fingers of the left hand of Colette MacDONALD.
- (13) From fingernail scrapings removed from fingers of the right hand of Colette MacDONALD.
- (14) From fingernail scrapings removed from the left and right hands of Kimberly MacDONALD.
- (15) From fingernail scrapings removed from the left hand of Kristen MacDONALD.

SUBSTANTIATION (Continued)

- (16) From fingernail scrapings taken from Jeffrey MacDONALD.
- (17) On the upper center area of the refrigerator in the kitchen.
- (18) On the kitchen floor 1 foot 4 1/2 inches northeast of the northwest corner of the refrigerator.
- (19) From the west side of the clothes washer in the kitchen.
- (20) On the heater located at the east wall of the kitchen.
- (21) On the rubber dish washing gloves located in the kitchen area.
- (22) On one of the three cloth kitchen gloves located within the kitchen area.
- (23) On a stain near the radiator in the south (Kimberly's) bedroom.
- (24) Near the right side of the light switch in the east (master) bedroom.
- (25) On the bottom south edge of the west door jamb in the east (master) bedroom.
- (26) On the southwest corner of the dresser in the east (master) bedroom.
- (27) On the front of the dresser in the east (master) bedroom.
- (28) On the footboard of the bed in the east (master) bedroom.
- (29) In the red-brown stain of the word "PIG" in the east (master) bedroom.
- (30) In a stain on a foot stool in the main bathroom.
- (31) In a stain on the left side of the sink in the main bathroom.
- (32) In a stain on the south door jamb of the east (master) bedroom.
- (33) On a stain located on the south hall wall area.
- (34) In a stain on the west wall of the south (Kimberly's) bedroom.
- (35) In a stain on the north wall of the south (Kimberly's) bedroom.
- (36) In a stain on the west picture of a clown on the north wall of the south (Kimberly's) bedroom.

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SUBSTANTIATION (Continued)

(37) On a portion of a rubber surgical glove found on the floor of the east (master) bedroom.

(38) In stains on a cabinet door in the kitchen area.

(39) In stains on a medical scrub brush located in the kitchen.

(40) In an area of the kitchen cabinets under the sink.

(41) In stains on the south surface of the north end table in the east (master) bedroom.

According to the report a gross microscopic examination (examination made with the naked eye) of the sink faucets in the main bathroom and on top of the bath tub in the main bathroom revealed the presence of blood. No further examinations were made of these particular items.

The report covers the fact that the examination of the following items did not reveal the presence of any blood stains:

(1) In a red-brown stain located close to the lower right corner of the mirror in the main bathroom.

(2) In a red-brown stain on the south wall light switch in the main bathroom.

(3) In a red-brown stain located on the baseboard of the south wall area of the hall.

(4) In a red-brown stain on the outside of the west door jamb of the south (Kimberly's) bedroom.

(5) In a red-brown stain located on the south hall wall.

(6) In a red-brown stain located on the north hall wall.

(7) In a red-brown stain located high on the south hall wall.

(8) In a red-brown stain located on the baseboard of the north hall wall.

(9) In a red-brown stain located on the hallway baseboard located at the entrance to the bathroom.

(10) In a red-brown stain located on the east wall of the living room.

SUBSTANTIATION (Continued)

- (11) On the quilt bearing red-brown stains which was located on the bed in the south (Kimberly's) bedroom.
- (12) On the purple blanket which was located on the bed in the south (Kimberly's) bedroom.
- (13) On a cloth doll which had red-brown stains and which was located in the south (Kimberly's) bedroom.
- (14) On a portion of the mattress removed from the southeast corner of the bed in the south (Kimberly's) bedroom.
- (15) On a portion of the mattress from the middle of the bed in the south (Kimberly's) bedroom.
- (16) On a framed color sketch of a woman located on the living room floor under the stereo.
- (17) On the left sleeve of a blue colored girl's coat found in the south (Kimberly's) bedroom.
- (18) In stains located on the north door frame of the kitchen door (door from dining room to kitchen).
- (19) In stains located on the wall at the south side of the dining room-kitchen door frame.
- (20) In stains located above and near the door handle of the kitchen refrigerator.
- (21) In stains on the lower east side of the kitchen refrigerator.
- (22) In stains located on the kitchen floor near the northeast corner of the refrigerator.
- (23) In a stain located on the lower left sink cabinet door in the kitchen.
- (24) On the left sink cabinet above the middle door.
- (25) In a stain located on the upper left kitchen sink cabinet drawer.
- (26) In a stain located near the drawer handle of the left kitchen sink cabinet.

SUBSTANTIATION (Continued)

- (27) In a stain located on the door of the utility cabinet to the right of the kitchen sink.
- (28) In a stain near the handle of the utility cabinet to the right of the kitchen sink.
- (29) In a stain on the east side of the clothes washer in the kitchen.
- (30) In a stain located on the rear (north) kitchen door.
- (31) In a stain located on a "Taxy Liquid Soap" container found on the kitchen sink.
- (32) On stains located on a plastic "Santa Claus" figure located in the north (Kristen's) bedroom.
- (33) In stains on a doll shirt located in the north (Kristen's) bedroom.
- (34) On a green colored sponge from the kitchen area.
- (35) On a yellow colored sponge from the kitchen area.
- (36) On the cap from a baby food bottle located in the kitchen area.
- (37) In stains located on a sealed package of surgeon's rubber gloves from the kitchen area.
- (38) Plastic cover from "kit" can in the kitchen area.
- (39) In stains on the inside of the kitchen cabinet door.
- (40) In stains on the underside of the kitchen sink.
- (41) In stains on the dining room doorway. (EXHIBIT "S-1")

Other Body Fluid Evidence

## Urine:

The laboratory report (EXHIBIT "S-1") contains information identifying urine stains as being present on the sheet removed from the bottom of the bed in the east (master) bedroom and on the panties and pajama bottoms worn by Kristen MacDONALD.

In a subsequent laboratory report the chemists, Mr CONNERS and Mrs GLISSON, reported that urine stains were also located on the bottom sheets removed from the bed in the south (Kimberly's) bedroom and from the north (Kristen's) bedroom. It was further reported that the stains were examined

SUBSTANTIATION (Continued)

to identify the specific blood type factor and it was determined that the urine stain on the sheet from the east (master) bedroom revealed the specific blood type factor "A", indicating same to be of the International Blood Group Type A (Colette MacDONALD) or Type AB (Kimberly MacDONALD) with a deterioration of the blood specific factor "B"; that a similar examination of the urine stain on the bottom sheet from the bed in the south (Kimberly's) bedroom revealed the presence of the blood specific factors A and B, indicating same to be of the International Blood Group Type AB (Kimberly MacDONALD). They further reported that the examinations of the urine stain on the bottom sheet from the bed in the north (Kristen's) bedroom revealed the presence of a mixed stain of urine and blood. Blood typing examination did not reveal the presence of the blood specific factors "A" (for A type blood that of Colette MacDONALD); "B" (for AB type blood that of Kimberly MacDONALD) or the blood specific type factor "H" (for O type blood that of Kristen MacDONALD). (EXHIBIT "T-1")

CONNERS and GLISSON advised in another laboratory report that examination of the pajama top of Jeffrey MacDONALD did not reveal the presence of urine stains. (EXHIBIT U-1")

Semen:

Although the Autopsy Report of GAMMEL (EXHIBIT "S") identified apparent degenerating spermatozoa heads without tails as being present in vaginal smears of Colette MacDONALD, in their consolidated laboratory report (EXHIBIT "S-1"), CONNERS and GLISSON advise that no semen was located during examinations of the bed sheet removed from the bed in the east (master) bedroom or in vaginal scrapings obtained from the body of Colette MacDONALD. A re-examination of the vaginal scrapings by CONNERS and GLISSON also failed to reveal the presence of semen. (EXHIBIT "V-1")

Alcohol, Dangerous Drugs and Narcotics

The consolidated laboratory report (EXHIBIT "S-1") further contains the results of chemical examinations made by CONNERS and GLISSON which did not reveal the presence of dangerous drugs or narcotics in blood and urine samples of Jeffrey MacDONALD; that further examinations of the blood samples of Jeffrey MacDONALD revealed same to contain 0.150 mg/ml of ethyl alcohol - and "this generally means that the subject was not under the influence of alcohol."

Fiber Evidence:

In the portion of the chemistry examinations of the consolidated laboratory report attributed to BROWNING, he reports that his examinations of the following exhibits revealed the presence of fibers identical in type,

SUBSTANTIATION (Continued)

color, denier, twist, and all other physical characteristics to the fibers of the pajama top of Jeffrey MacDONALD:

(1) Those fibers located with the three wooden splinters and other debris from the floor near the body outline of Colette MacDONALD in the east (master) bedroom.

(2) Those fibers located on the purple bedcover removed from the bed in the south (Kimberly's) bedroom.

(3) Those fibers located on the terry cloth robe removed from the east (master) bedroom.

(4) The multi-colored bed spread removed from the east (master) bedroom.

(5) From the fingernail scrapings from the fingers of the left hand of Kristen MacDONALD.

(6) In the debris removed from the mouth area of the body of Colette MacDONALD.

(7) Debris from the fracture site of the left forearm of Colette MacDONALD.

(8) From the underside of the throw rug in the east (master) bedroom.

(9) Debris from the sheet and bed located in the east (master) bedroom.

(10) Debris from the pillow case on the bed in the east (master) bedroom.

(11) Debris found beneath the body and within the outline of the body of Colette MacDONALD as she lay on the rug in the east (master) bedroom.

(12) Debris from the area of the hallway near the stairs to the living room.

(13) From the hairs and fibers located in the bed spread and bed of the north (Kristen's) bedroom.

(14) Debris removed from the bedding pulled back from the body of Kimberly MacDONALD as she lay in the south bedroom.

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SUBSTANTIATION (Continued)

(15) Debris removed from the north pillow in the bed located in the north (Kristen's) bedroom.

(16) Debris from the bottom sheet on the bed in the south (Kimberly's) bedroom.

(17) In debris removed from the wooden club found outside the Utility Room door of the MacDONALD residence.

(18) The blue fiber on floor near the east wall and headboard of the bed in the east (master) bedroom.

(19) In the fibers from near the left hand and arm of Colette MacDONALD.

(20) Fibers on rug near the north corner of the footboard of the bed in the east (master) bedroom.

(21) Fibers from under the trunk and leg area of the body of Colette MacDONALD.

BROWNING stated in his report it is his opinion that the fibers present in the exhibits mentioned above (1 through 21) could have originated from the pajama top of Jeffrey MacDONALD.

Hair Evidence

Hair evidence was of concern during the investigation because what was described as hairs were located in the hand of Colette MacDONALD during the autopsy, in the brush located next to her body (which Jeffrey MacDONALD claimed did not belong to his wife), and on the person of Kristen MacDONALD. The report sets forth the results of numerous examinations which resulted in the following observations:

(1) Human head hairs located in the following exhibits were found to be grossly similar in all physical characteristics to the head hair of Colette MacDONALD and it was the examiner's opinion that one or more of the human head hairs present in the exhibits could have originated from the head of Colette MacDONALD:

a. On the clothing of Colette MacDONALD (pajamas she was wearing when found at crime scene).

b. On the green-blue-yellow colored throw rug located in the east (master) bedroom.

SUBSTANTIATION (Continued)

- c. On the multi-colored bed spread located in the east (master) bedroom.
- d. In debris located on the mouth of Colette MacDONALD.
- e. In debris found in the left hand of Colette MacDONALD.
- f. On the elevated flower cage located in the east (master) bedroom.
- g. In the debris located on the sheet on the bed in the east (master) bedroom.
- h. In debris located on and under the pillow on the bed in the east (master) bedroom.
- i. Hair and debris found in the sink in the main bathroom.
- j. In debris located on the bottom sheet of the bed in the north (Kristen's) bedroom.
- k. Hair removed from the pajama top of Jeffrey MacDONALD (worn by him on evening of 16-17 Feb 70).
- 1. On the portion of rug removed from the north corner area of the bed footboard in the east (master) bedroom.
- 2. The examiner continued in the report that an examination of the following exhibits for hair evidence revealed the presence of human head hairs, grossly similar in all physical characteristics to the head hair of Kimberly MacDONALD and it was the examiner's opinion that one or more of the human head hairs present in the exhibits could have originated from the head of Kimberly MacDONALD:
  - a. On the terry cloth robe found in the east (master) bedroom.
  - b. On the green-blue-yellow colored throw rug located in the east (master) bedroom.
  - c. On the multi-colored bedspread located in the east (master) bedroom.
  - d. On the dress located in the chair in the east (master) bedroom.
  - e. On the yellow coat found in the closet of the south (Kimberly's) bedroom.

SUBSTANTIATION (Continued)

f. On the blue coat found on a wall hook in the south (Kimberly's) bedroom.

g. Hair and debris removed from the sink in the main bathroom.

h. Debris from the bedding pulled back from the bed in the south (Kimberly's) bedroom.

i. Debris located under the pillow in the south (Kimberly's) bedroom.

3. According to the examiner, the following exhibits were examined for hair evidence and the examinations revealed the presence of human head hairs, grossly similar in all physical characteristics to the head hair of Kristen MacDONALD and it was the examiner's opinion that one or more of the human head hairs present in the exhibits could have originated from the head of Kristen MacDONALD:

a. In blood stains, type O (Kristen MacDONALD) located on the floor of the north (Kristen's) bedroom.

b. On the purple colored bed cover found on the bed in the south (Kimberly's) bedroom.

c. In the hair brush found on the dresser in the east (master) bedroom.

d. In hairs collected from clothing located in the closet of the north (Kristen's) bedroom.

e. In hairs located on the pillow in the south (Kimberly's) bedroom.

f. On the green colored bedspread found on the bed in the north (Kristen's) bedroom.

g. In debris found on the pink blanket on the bed located in the north (Kristen's) bedroom.

h. On debris found on the pillow on the bed in the north (Kristen's) bedroom.

i. In hair samples removed from the blue dress in the closet of the north (Kristen's) bedroom.

4. Additional examinations of hair evidence were performed with the following results:

a. Several hairs collected from the sweat shirt of Jeffrey

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MacDONALD located in the closet in the east (master) bedroom were identified as horse hairs and no human hairs were located on the shirt.

b. A short human head hair was located among those hairs found on the pillow in the south (Kimberly's) bedroom and this hair was grossly similar in all physical characteristics to the known head hairs of Jeffrey MacDONALD. It is the opinion of the examiner that these hairs could have originated from a common source.

c. Debris removed from the sheet on the bed in the east (master) bedroom and debris removed from the pulled back bedding in the south (Kimberly's) bedroom contained human body or pubic hair that was grossly similar in all physical characteristics to the pubic hair of Jeffrey MacDONALD. It is the opinion of the examiner that the hairs could have had a common source of origin.

d. Examination of hairs located in the following areas did not reveal any hair grossly similar to the known hairs collected from the body of Jeffrey MacDONALD:

- (1) Hairs from the main bathroom sink.
- (2) Hairs from the bed spread on the bed in the north (Kristen's) bedroom.
- (3) Hairs located on the pink blanket on the bed in the north (Kristen's) bedroom.
- (4) Hairs found on the white terry cloth robe in the east (master) bedroom.
- (5) Hair removed from the pot holder located in the kitchen.
- (6) Hairs located on the green-blue-yellow rug located in the east (master) bedroom.
- (7) Hairs removed from the multi-colored bedspread in the east (master) bedroom.

5. Comparative examinations of the hairs found in the right and left hand of Colette MacDONALD and the hairs collected from the head and body areas of Jeffrey MacDONALD revealed the hairs found in Colette MacDONALD hands to be dissimilar to the hairs of Jeffrey MacDONALD and the examiner reported further that "it is the opinion of the examiners that the hairs found in the hands of Colette MacDONALD probably did not originate

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from the same point sources as the hairs collected from Jeffrey MacDONALD, however, it must be pointed out that the requested opinion regarding positively eliminating the subject (Jeffrey MacDONALD) as a possible source of the hair cannot be given without first examining numerous other point sources of body hair from the subject (Jeffrey MacDONALD)."

6. The consolidated report identified three (3) hairs removed from the blue dress located in the closet in the north (Kristen's) bedroom to be grossly similar in all physical characteristics to the head hair of Kristen MacDONALD; that the roots were shrunken and dehydrated, indicating the hair was lost through normal attrition.

7. The examiners stated that hairs found under the pillow in the east (master) bedroom contained one (1) animal hair and one (1) human head hair grossly similar to the head hair of Colette MacDONALD. The root of this hair was shrunken and dehydrated, indicating that it had been lost through normal attrition.

8. The debris removed from the pillow in the south (Kimberly's) bedroom also contained two (2) animal hairs.

9. Debris from the quilt in the south (Kimberly's) bedroom also contained one (1) animal hair.

10. One (1) animal hair was located on the sheet found on the floor of the east (master) bedroom.

11. One (1) animal hair was also located in the debris removed from the top sheet of the bed in the north (Kristen's) bedroom.

12. In a subsequent laboratory report, chemists BROWNING, GLISSON, CONNERS, VOGENTHALER and CHAMBERLAIN conducted additional examinations of hair samples received from Mrs Alfred KASSAB, mother of Colette MacDONALD. The results of these examinations revealed that the known head hairs of Mrs KASSAB were similar in gross color, pigmentation and structure to the dark hairs removed from the hair brush located next to the body of Colette MacDONALD and to one other hair brush found in the MacDONALD residence. It was opined that the hairs could have had the same source of origin. Comparative examinations made of the known head hairs of Mrs KASSAB with those hairs found in the hands of Colette MacDONALD showed them to be dissimilar in physical characteristics.

The examiners also made comparison tests of hairs located on two (2) additional brushes from the MacDONALD residence and the hairs found in the hair brush located next to the body of Colette MacDONALD

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and ascertained that the light brown hairs found in all three brushes were similar in gross color pigmentation and structure to each other and with the light brown hairs found in the left hand of Colette MacDONALD and further, all of the hairs could have had the same source of origin.

In an additional examination of the three (3) hair brushes mentioned above which also contained blonde hairs, comparison tests were made among the blonde hairs and also the blonde hairs located in the right hand of Colette MacDONALD and it was determined that all of the blonde hairs were similar in gross color, pigmentation and structure and all could have had the same source of origin. (EXHIBIT "W-1")

13. GLISSON and CONNERS submitted another laboratory report regarding hair comparison tests made on a group of hairs located entangled on a button on the nightgown worn by Kimberly MacDONALD when she was located at the crime scene. These hairs were compared with those in one of the hair brushes located in the residence and with that brush located next to the body of Colette MacDONALD and it was determined that the hairs were similar in gross color, pigmentation and structure and could have had the same source of origin.

The examiners also reported that the hairs removed from the nightgown of Kimberly MacDONALD were also compared with those hairs located in the right and left hands of Colette MacDONALD and they were determined to be dissimilar in physical characteristics. (EXHIBIT "X-1")

Fingerprint Evidence

The consolidated laboratory report (EXHIBIT "S-1"), supplemental laboratory reports (EXHIBITS "V-1," "Z-1," "A-2," "B-2," "C-2," "D-2," "E-2," "F-2," "G-2," and "H-2") and two FBI Laboratory Reports of the Identification Division (EXHIBIT "Y-1") cover examinations made regarding the 87 latent fingerprints located within the crime scene. As a result of these comparisons, a total of 30 latent prints or partial prints of the fingers and/or palms remain to be identified. No fingerprints of suspects identified with the investigation have been located within the latent prints developed with the exception of those identifications made with the fingerprints and footprint of Jeffrey MacDONALD.

In the consolidated report, MEDLIN points out that the blood stain which was present on the Esquire magazine appeared to have been made by a person's finger due to its shape, however, it cannot be positively stated that it was made by a person's finger since definite ridge pattern formation was precluded by the separations of the individual pages.

SUBSTANTIATION (Continued)

Regarding the footprint in blood in the north (Kristen's) bedroom, MEDLIN stated that it was not made by Colette MacDONALD or a frequent visitor to the MacDONALD residence, 1LT Ronald HARRISON; that it matches in general shape, outline, and size the record footprint of Jeffrey MacDONALD. MEDLIN also pointed out that due to the absence of individual ridge characteristics in the photographs taken of the impression, a positive identification could not be made. (EXHIBIT "S-1")

MEDLIN also submitted a compilation of those latent fingerprints unidentified as of 1 Apr 71 and this listing further describes the prints as to the possibility of the size (adult, young adult, child, etc) and their location within the crime scene. (EXHIBIT "M-2")

Wood Evidence

In the consolidated laboratory report (EXHIBIT "S-1") the examiners pointed out that tests made of wood substances found in the following areas or exhibits revealed that all of the wood located was identified as being identical in type, color, texture and all other physical characteristics to the wood found outside the Utility Room door at the rear of the MacDONALD residence and further, all of the wood mentioned could have originated with the piece of wood located outside the residence:

- (1) In debris found in the left hand of Colette MacDONALD.
- (2) In fibers, debris and wood chips found under the body of Colette MacDONALD.
- (3) In the three wooden splinters found near the body of Colette MacDONALD.
- (4) In hairs and fibers located near the left side of Colette MacDONALD.
- (5) In debris removed from the sheet on the bed in the east (master) bedroom.
- (6) In debris removed from the bottom sheet in the north (Kristen's) bedroom.
- (7) In debris removed from the pulled back bedding on the bed in the south (Kimberly's) bedroom.
- (8) In the wooden splinter removed from the pillow in the south (Kimberly's) bedroom.

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(9) In the debris found on the sheet in the south (Kimberly's) bedroom.

In a subsequent laboratory report (EXHIBIT "W-1") the examiners advised that an examination of a bed board removed from the bed in the south (Kimberly's) bedroom revealed that when compared to the piece of wood found outside the Utility Room door of the residence it was determined that the bedboard was identical in type, grain, and annual growth rings to the piece of wood found outside the Utility Room door. It was the examiner's opinion that the wood from outside the residence was at one time a part of the bedboard.

Document Examinations

The consolidated report (EXHIBIT "S-1") contains a section by the examiners to the effect that the blood stained printed word "PIG" on the headboard of the bed in the east (master) bedroom was very probably executed by a right handed person utilizing the index and middle fingers of the right hand. They stated that when the printed word was compared to known handwriting of Jeffrey MacDONALD it could not be stated that he did or did not execute the printed word "PIG."

Additional examinations were made to ascertain whether those notes on the piece of onion skin paper (EXHIBIT "I-2") located in the notebook of Colette MacDONALD at the crime scene which mentioned "diaper rash," "Dear Abby" and "Anne Landers," with the known standards of handwriting of Colette MacDONALD and Jeffrey MacDONALD revealed that the writing could have been executed by Colette MacDONALD and there were no indications that it was executed by Jeffrey MacDONALD (EXHIBITS "J-2," "K-2")

Other Laboratory Examinations

Investigation at the crime scene revealed that the footrest on the footboard of the bed in the east (master) bedroom was broken and being supported by the footrest which was placed on its side to perform the supporting function. It was noted that the wooden murder weapon found outside the residence was almost the exact measurements of the footrest and therefore it was a logical assumption that the wooden weapon may have had a utilitarian use in the bedroom to brace the broken footboard of the bed. Resulting laboratory examination (EXHIBIT "T-1") failed to substantiate that the piece of footboard ever rested on the wooden weapon.

Mr Maynard J. PRO, Forensic Staff Chemist, National Office Laboratory, Internal Revenue Service, submitted a laboratory report to the effect that a neutron activation analysis for the presence of characterizing trace

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elements revealed that the pieces of rubber gloves found at the crime scene when compared to rubber surgical gloves found stored in the kitchen area of the MacDONALD residence had compositional similarities consistent with products of the same manufacturer. (EXHIBIT "L-2")

The Federal Bureau of Investigation furnished an additional laboratory report (EXHIBIT "N-2") which detailed an examination of the clothing worn by the decedents and the pajama top worn by Jeffrey MacDONALD. It also covered an examination of the three instruments, two paring knives and the ice pick, used in the murders. The report is significant in that it pointed out the number of holes and cut marks in each garment and that when test cut marks were made on the clothing of Colette, Kimberly, and Kristen MacDONALD, worn at the time of the murders, it was determined that the "Old Hickory" brand paring knife (that knife located outside the Utility Room door of the residence) could have made the cuts appearing in the pajama top of Colette MacDONALD; the nightgown of Kimberly MacDONALD and the pajama top and undershirt worn by Kristen MacDONALD. The laboratory examiners advised that it was doubtful that any of the cuts on the garments mentioned were made by the paring knife found in the east (master) bedroom identified as the "Geneva Forge" knife.

The report also contained examinations made of the pajama top worn by Jeffrey MacDONALD and it was determined that the two cuts which appear on that garment could have been made with the "Old Hickory" brand paring knife and the examiners pointed out that none of the cuts possess enough characteristics to be positively associated with a particular cutting instrument.

It was further noted in the FBI Laboratory report that a microscopic examination of the garments revealed that in the case of the pajama top worn by Jeffrey MacDONALD, six holes had the general appearance of being "entry" holes and five holes had the general appearance of being "exit" holes.

The report covered the fact that none of the puncture (ice pick) holes in the clothing of Colette, Jeffrey, and Kristen MacDONALD had "torn" areas which would indicate that the garments were stationary when the holes were made.

The examiners advised that it was not possible to determine if the puncture holes in the upper clothing worn by Colette, Jeffrey, and Kristen MacDONALD were made before or after the garments were blood stained, however, it was determined that large bloodstains (Type A - the same as that of Colette MacDONALD) were located on the left shoulder and the left sleeve of the pajama top of Jeffrey MacDONALD that were on the pajama top before the garment was torn. (EXHIBIT "N-2")

SUBSTANTIATION (Continued)

In a Memorandum For Record regarding a review of the FBI Laboratory Report as set forth immediately above, Criminal Investigator KEARNS furnishes certain comparisons and observations made when information from the report and that gleaned from other known investigative data was correlated. Significant observations offered in the memorandum are as follows:

(1) Jeffrey MacDONALD was not engaged in a moving altercation with his alleged assailants at the time he sustained the ice pick wounds; that since he claimed he was conscious when attacked, he would have had to sustain the ice pick wounds after being rendered unconscious. Since he admits that he was lying face down when he woke from unconsciousness he would have had to roll onto his stomach in an involuntary motion. This latter observation is occasioned by the fact that he claimed when he woke from unconsciousness, the pajama top was wrapped around his wrists and lay between his chest and the floor. If the attackers stabbed through the fabric while he lay on the floor, then there should have been some evidence of such activity discernable upon examination of that floor area during the crime scene search and no such evidence was present. If the alleged assailants stabbed through the fabric with the ice pick when it was on his person, then resulting wounds should have been in evidence - no such evidence of multiple stab wounds from the ice pick was developed.

(2) From blood evidence on the floor of the bedroom of Kristen MacDONALD and lack of her blood in related areas, it is presumed that Kristen MacDONALD suffered all of her wounds while in bed. Further, it should be noted that no ice pick puncture marks were located on the pajama top of Kristen MacDONALD and therefore it follows that her clothing had to be disarranged at the time she sustained the wounds from the ice pick in order that the ice pick pass through only the undershirt she wore. Most of the wounds she sustained from the ice pick were merely "prick" marks and not deep penetrating wounds and it is suggested that she was first struck with the paring knife and then with the ice pick.

(3) The pajama top of Colette MacDONALD bore puncture defects consistent in number with the ice pick wounds she sustained. She sustained 21 puncture (ice pick type) wounds and the pajama top bore evidence of 30 corresponding holes (some of which the FBI technicians reported could have been caused by a single thrust of the ice pick passing through several layers of the garment). Colette MacDONALD's wounds from the ice pick differed from those of her daughter, Kristen, in that hers were deep penetrating wounds as opposed to the somewhat superficial wounds sustained by Kristen MacDONALD.

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(4) Kimberly MacDONALD did not sustain any wounds from the ice pick and her clothing bore no circular defects indicating penetration by the ice pick.

(5) If Jeffrey MacDONALD's statements in his interview with CID on 6 Apr 70 are accurate regarding the number of wounds he sustained, then of the total of 48 circular defects and 2 cut marks located on his pajama top only 17 or 34% resulted in a similar wound to his body. If comments he made on the Dick CAVETT television show in Dec 70 are the most accurate, wherein he claimed to have sustained 22 wounds, then the percentage of wounds to clothing defects rises to only 44%. Again, if the attending physician first treating Jeffrey MacDONALD on the morning of 17 Feb 70 furnished the best description of his wounds then the percentage drops to 14%. A significant variance emerges when computing the clothing defects to wounds in the MacDONALD female victims and with those set forth above for Jeffrey MacDONALD (ranging from 14% to 44%); Colette MacDONALD - 79%; Kimberly MacDONALD - 100%+ and Kristen MacDONALD - 68% for the pajama top and 60% in the undershirt.

(6) Jeffrey MacDONALD's pajama top bore large bloodstains before it was torn, therefore he must have had some contact with the bloodstained or bleeding body of his wife before his pajama top was torn. (EXHIBIT "O-2")

Neighborhood, "Hippie" and FBI Investigation

During the period 17 Feb 70 through the date of this report, investigation covered interviews and activities which took place in the MacDONALD neighborhood, among the group of individuals loosely referred to as "hippies" and also investigative activity in several areas which was conducted by the FBI.

## (1) Neighborhood Investigation:

CPT (then 1LT) Ronald H. HARRISON, a former acquaintance of Jeffrey and Colette MacDONALD at Ft Bragg furnished a written statement regarding his knowledge of the MacDONALDs. He classified them as excellent parents with an outstanding marriage and he knew of no marital difficulties or discord. He further advised that he knew of no person(s) holding animosity towards the MacDONALDs and he did not know the identity of the perpetrator(s). According to HARRISON he was not romantically involved with Colette MacDONALD. HARRISON stated that he was a frequent visitor to the MacDONALD residence during the approximate period Sep-Oct 69 until the day of the murders and that he last visited the MacDONALD residence for dinner on the evening of 14 February 1970. HARRISON was

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shown photographs of the murder weapon(s) but stated he could not identify the weapons as being items from the MacDONALD residence. Regarding the ice pick, HARRISON recalled that on Thanksgiving 1969 he was present in the MacDONALD residence when a need for an ice pick came up; that he was in the kitchen attempting to break up ice with his hand when Jeffrey MacDONALD entered the kitchen, asked "where's the ice pick" and then exited the kitchen door to apparently look for an ice pick in household items kept in the family's storage shed behind the residence. HARRISON said that Jeffrey MacDONALD returned shortly thereafter, without an ice pick and eventually another implement was used to break the ice. This is the only occurrence he can recall concerning an ice pick in the MacDONALD residence.

HARRISON continued that he visited Jeffrey MacDONALD in the hospital on the morning of 17 Feb 70 and observed that he had several bumps on his forehead and back of his head, numerous "pin prick" wounds on his chest, arms, and abdomen, a puncture wound on his abdomen and a chest drainage tube was evident in his chest area. Jeffrey MacDONALD described his attackers to HARRISON as a female Caucasian with blonde hair, floppy hat and wearing boots; that the girl was carrying a candle. He stated there were four attackers and described the remaining three as a male Negro and two male Caucasians. HARRISON also said that Jeffrey MacDONALD referred to the alleged intruders as "hippies;" that the only requests he made of HARRISON was that HARRISON contact an individual from Special Forces to aid him in seeking revenge against the murderers. He also asked HARRISON to get his horn rimmed glasses from the residence and bring them to the hospital.

Regarding the "Cold Duck" champagne that was located in Jeffrey MacDONALD's room of the hospital, HARRISON recalled that about the day before Jeffrey MacDONALD was released from the hospital (25 Feb 70) he asked HARRISON to purchase a bottle of champagne for him. HARRISON obliged and delivered the champagne and other liquor to Jeffrey MacDONALD's room and later observed that Jeffrey MacDONALD and family visitors were consuming or had consumed the champagne. He observed that the bottle was discarded in the waste basket of the hospital room empty or partially so and that when it was found later by hospital personnel there was "a big thing made about it." HARRISON advised that while he was a visitor to the residence he never observed a pair of rubber surgical gloves in use in the house. (EXHIBIT "P-2")

Mrs Elizabeth A. KRYSTIA, a former classmate of Colette MacDONALD's at college extension courses of North Carolina State University, held at Ft Bragg, furnished a written statement. KRYSTIA stated that she was in the same Child Psychology class as Colette MacDONALD and on the evening

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of 16 Feb 70 at about 1810-1815, Colette MacDONALD picked her up at her residence on Ft Bragg and they drove to their evening class. Both women, according to KRYSTIA, were pregnant and usually discussed children enroute the class. KRYSTIA recalls that Colette MacDONALD maintained that her pregnancy was the result of her forgetting to take her birth control pill and she did not indicate if she was depressed about being pregnant.

KRYSTIA also said that during the class on the evening of 16 Feb 70 Colette MacDONALD related in a classroom discussion that her youngest child was becoming a problem because she wanted to sleep in the bedroom of Colette and Jeffrey MacDONALD; that Colette MacDONALD did not mention what the family solution to the problem was but that the professor indicated that the child should be shown affection and then made to return to her own room. KRYSTIA concluded by saying that after the class, she accompanied Colette MacDONALD to a grocery store on Ft Bragg where Colette MacDONALD bought some groceries and then she was taken home arriving about 2145 and Colette MacDONALD drove away towards her own residence. KRYSTIA did not know Jeffrey MacDONALD. (EXHIBIT "Q-2")

Mrs Rebecca J. COHEN, another former classmate of Colette MacDONALD's, in a written statement recalled Colette MacDONALD's classroom discussion on the evening of 16 Feb 70 wherein a problem regarding the sleeping habits of the youngest MacDONALD child was presented. COHEN further recalled that in the discussion Colette MacDONALD maintained that when the youngest child got in bed with her parents she crowded Colette MacDONALD out of the bed and this caused the MacDONALD mother to sleep on the couch; COHEN said that according to Colette MacDONALD, Jeffrey MacDONALD made the decision that the youngest child would remain in the bed of the parents and Colette MacDONALD would sleep on the couch. COHEN stated that the consensus of opinion of the class was that the child should be made to return to her own bed and when this was brought out in the discussion COHEN observed Colette MacDONALD smiling and nodding her head in agreement apparently happy with the decision. (EXHIBIT "R-2")

Criminal Investigator Emanuel J. BARONE, submitted an Investigator's Statement covering the interview of Mrs Tran Bao BROWN, former Vietnamese Language Instructor at the Army Education Center, Ft Bragg. BROWN stated that from 27 Oct 69, to 18 Dec 69, she taught such a language class which Colette MacDONALD attended; that Colette MacDONALD only attended the class on two or three nights and BROWN had little information regarding her or her activities. (EXHIBIT "S-2")

Criminal Investigator Gary E. GEORGE, executed an Investigator's Statement incorporating his interview of Mrs Margaret O. ROSE, a former

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classmate of Colette MacDONALD in the Vietnamese Language Course. ROSE said that Colette MacDONALD was the only other female in the class, attended only the first session on 27 Oct 69 and never returned. ROSE furnished no other information other than a description of Colette MacDONALD. (EXHIBIT "T-2")

Criminal Investigator Richard F. AVILA, in an Investigator's Statement sets forth his interview of the MacDONALD's teenage neighbor and former babysitter Miss *Juvenile* was interviewed in the presence of Special Agent (M)(C) Federal Bureau of Investigation and her mother Mrs Violet M. KALIN. During the interview, *Juvenile* stated substantially as follows:

She baby sat for the MacDONALDS about 10 to 15 times and during these periods never observed any arguments between the adult MacDONALDs or mistreatment of the MacDONALD children. When shown the paring knife found on the floor of the east (master) bedroom ("Geneva Forge" brand knife, which had a bent blade) she "very readily" identified the knife by saying that she had seen it or one exactly like it in the MacDONALD residence several times in kitchen drawer with other utensils and also on top of the kitchen cabinet sink area. She said she recognized the knife because of the bent blade. She could make no other identifications of the murder weapons. She said that although she never saw an ice pick in the MacDONALD residence she also never observed an ice crusher, hand or electric. (EXHIBIT "U-2")

Criminal Investigator John W. REYNOLDS, furnished an Investigator's Statement regarding his interviews with *Juvenile* and her mother.

REYNOLDS furnished substantially the following information regarding his interview of *Juvenile*:

She said that she usually was the babysitter for the MacDONALDs on evenings when Colette MacDONALD attended evening classes, and Jeffrey MacDONALD was not at home. She recalled that he had been working at civilian hospitals on certain evenings and for a few weeks prior to the murders she baby sat on Monday and Wednesday evening of each week. She could not recall babysitting for the MacDONALDs for any other reason than Colette MacDONALD's school nights. She said the youngest child in particular, wet the bed and it was *Juvenile* job while babysitting to change the bedding when this happened. She never witnessed the MacDONALDs in an argument but occasionally would hear them speak in an irritable tone.

Regarding the events of the evening of 16-17 Feb 70, *Juvenile* explained that she went to bed about 2300, 16 Feb 70; that her bedroom was immediately above the MacDONALD's living room and before falling into a deep sleep she heard Jeffrey MacDONALD's voice in a conversational tone and she thought

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he was in conversation with some man and could only describe it as a man's voice and not Colette MacDONALD's voice. When questioned regarding her testimony at the Article 32 hearing of Jeffrey MacDONALD wherein she testified that the noises she heard coming from the MacDONALD living room concerned sobbing or laughing she said that was what the conversation was she had just related but it made no special impression on her and didn't arouse her fear or curiosity. She heard nothing further until she was awakened by the sounds of the assembling military police.

JUVENILE was shown photographs of the murder weapons and stated she could not identify them as being articles from the MacDONALD residence. She was specifically quired about her statement that the bent paring knife ("Geneva Forge" brand) was a knife from the MacDONALD kitchen and she clarified this statement by saying that she told previous interviewers that the bent knife could have come from the MacDONALD kitchen. She stated that she occasionally used a white hair brush located in the MacDONALD residence. The only "strange" incident in the MacDONALD residence she could recall was the fact that usually one of the MacDONALD adults would come to her door and inquire about her babysitting, but that about Dec 69 she would be called on the telephone whenever she was wanted to babysit.

REYNOLDS set forth information regarding his interview of Mrs KALIN and her remarks are summarized as follows:

She initially pointed out that she would not give hair samples or her fingerprints nor would she allow her daughter JUVENILE to comply with such a request. She allowed that this reasoning was based on the fact that she felt her treatment by CID and certain JAG personnel regarding the MacDONALD murders had been harsh and unprofessional; that JUVENILE had been badgered into identifying the bent paring knife as coming from the MacDONALD kitchen. She also did not appreciate the fact that authorities attempted to hold the KALIN family at Fort Bragg from an overseas assignment because they were considered witnesses.

Mrs KALIN continued that when the MacDONALDs first moved to Ft Bragg in September 69 they were fairly close neighbors but that in Dec 69 this relationship was not as close although her oldest daughter Vickie and the younger daughter JUVENILE continued to enjoy a good relationship with the MacDONALDs. She said that Jeffrey MacDONALD seemed "quite fond" of Vickie KALIN and gave her driving lessons during the Christmas school vacation period in Dec 69. She said she did not notice any resentment on the part of Colette MacDONALD regarding his interest in the KALIN girl.

Mrs KALIN described the MacDONALDs as a very nice couple but for some unexplainable reason she thought that for a period of a few months

SUBSTANTIATION (Continued)

before the murders Jeffrey MacDONALD appeared as if he was unhappily married. She recalled that just before Christmas of 69 Colette MacDONALD, while in conversation with her, asked if she had heard her screaming at Jeffrey MacDONALD and when Mrs KALIN indicated she had not, Colette MacDONALD explained that Jeffrey MacDONALD had bought an expensive color TV set and Colette MacDONALD said, "I just blew up."

Mrs KALIN explained her activities on the night of 16-17 Feb 70 by saying that she went to bed about 2200 or 2300, 16 Feb 70; that sometime afterwards she woke up to the sound of Colette MacDONALD's voice raised in anger and it seemed the voice was in an angry rhetorical question. She could not hear the words, merely the voice tones, as if Colette MacDONALD was saying, "What in the hell do you thing you're doing?", or "Do you think I am going to stand here and take this?" She emphasized that she could not hear the words and that the two foregoing sentences were merely examples of how the tone patterns sounded to her. She heard Colette MacDONALD shout or scream that one sentence or phrase, heard no other sound, and fell back to sleep. She did not wake again until the arrival of military police at the MacDONALD residence.

She knew of no "hippie" type visitors in the area but did recall that two enlisted men, a Caucasian named YUNKUS and a Negro named PRICE, persons she met at a Ft Bragg language course in German, were the only ones that fitted the description given by Jeffrey MacDONALD and that Colette MacDONALD could have also met them at the language classes.

Mrs KALIN then related an incident wherein she was in the MacDONALD residence watching the children for a short time while she relieved her daughter. During this incident she had a "vision" of Jeffrey MacDONALD standing before her, and he was bleeding and holding some type of knife. She could furnish no explanation for this "vision" and stated she never made it known before because she feared ridicule. (EXHIBIT "V-2")

Miss Vicki M. KALIN executed a written statement to the effect she first met the MacDONALDs while she was home from Auburn University on school vacation in Dec 69. She said she also was a babysitter for the MacDONALDs but she could not identify any of the murder weapons as items from the MacDONALD residence. She was of the opinion that the MacDONALDs were happily married and she knew of nothing to the contrary in their associations or activities. According to Vicki KALIN, Jeffrey MacDONALD gave her driving lessons in Dec 69 and she has been alone with him but has not engaged in any intimacies with Jeffrey MacDONALD at any time with the possible exception of a "New Year's Eve" kiss on 31 Dec 69 and this took place in view of his relatives. (7)(C) INVADE PRIVACY



SUBSTANTIATION (Continued)

(7)(C) *INVADE PRIVACY*

"W-2")

." (EXHIBIT

Seaman Donald L. KALIN, dependent son of CW3 and Mrs KALIN, offered a written statement detailing his knowledge of the MacDONALDs and what he could recall of the evening of 16-17 Feb 70. He could only recall waking about 0500 17 Feb 70 when the military police arrived at the house. He was of the opinion the MacDONALDs were always friendly and he did recall that his mother mentioned that she had a dream that night and Jeffrey and Colette MacDONALD were having an argument. He said his mother thought she heard Colette scream or yell and said she felt that the yell started the dream or was part of the dream. (EXHIBIT "X-2")

CW3 Donald L. KALIN, neighbor of the MacDONALDs, advised in a written statement that he knew of no arguing or other family problems the MacDONALDs may have had. He related he heard nothing unusual after he went to bed at about 2200 or 2300, on the evening of 16 Feb 70 until the arrival of military police at the house at about 0300 or 0330 the morning of 17 Feb 70. According to KALIN, Criminal Investigator IVORY, escorted him through the crime scene at about 0500-0530, 17 Feb 70 so that KALIN could make identifications of the bodies, which KALIN did accomplish. (EXHIBIT "Y-2")

Criminal Investigator REYNOLDS, also submitted a written statement covering his interview of another neighbor of the MacDONALD family, Mrs Janice A. PENDLYSHOK. PENDLYSHOK advised substantially as follows:

At the time of the murders she lived in an apartment about 50 feet to the northeast of the east (master) bedroom of the MacDONALD residence. She was alone in her bedroom asleep, having retired for the night about 2200, 16 Feb 70, when, at an unknown time, she woke because of the barking of her dog who was in the house with her. She heard the sounds of children (more than one) crying and a woman screaming. She did not investigate further and either the noises stopped or she fell back to sleep before they stopped. She next woke at an unknown time when she heard the military police in the area of the house. She only knew the MacDONALDs casually but did have a conversation with Colette MacDONALD in January 70 wherein Colette MacDONALD stated she felt so safe at Ft Bragg that she never locked her door. PENDLYSHOK advised she had a problem with a prowler at her residence in December 69 and reported the incident to the military police. (EXHIBIT "Z-2")

070

70

~~TOP SECRET~~

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SUBSTANTIATION (Continued)

Mrs Rosalie E. EDWARDS, former neighbor of the MacDONALD family was interviewed and in an Investigator's Statement executed by Criminal Investigator REYNOLDS, provided background information on the MacDONALDs and other information regarding the murders of 16-17 Feb 70. Her comments were substantially as follows:

She had been a neighbor of the MacDONALD family since about Sep 69 and described her conversations with Colette MacDONALD on various subjects. She knew that Colette MacDONALD never locked the Utility Room door and had even entered that room to use the clothes dryer while Colette MacDONALD was asleep in the east (master) bedroom. She knew of no marital problems the MacDONALDs may have had and explained that from her conversations with Colette MacDONALD, she was unconcerned about being pregnant. Mrs EDWARDS advised that about 1900, 16 Feb 70, Kristen MacDONALD visited the EDWARDS' residence for a short time and this was a normal activity for Kristen. She could furnish no information regarding the "bent" paring knife in the MacDONALD residence and she never saw the MacDONALDs arguing. She stated that during a previous interview with CID she did say that Jeffrey MacDONALD said his wife was displeased with him getting her pregnant again but she felt this was only a man's expression and not a real feeling; that she knew Colette MacDONALD was displeased with Jeffrey MacDONALD's purchase of the color TV set but this was because she felt it wouldn't fit in with her plans for their living room area when they had their own home after leaving the Army. (EXHIBIT "A-3")

Criminal Investigator Frank M. TOLEDO, executed a written statement regarding his interview of another former neighbor of the MacDONALDs, CPT John W. CHESTER. CHESTER advised that he and his family returned from a trip to their residence at 306 Castle Dr, between 0300-0345, 17 Feb 70. CHESTER recalled that he was busy unloading a trailer he had hitched to the rear of his car during the period 0300-0345 and he observed nothing in the area to include pedestrian or vehicular traffic and further, he observed that it was very quiet in the neighborhood. (EXHIBIT "B-3")

Mr Leon O. WIGGINS, former military policeman assigned to Ft Bragg, in a written statement said that on the morning of 17 Feb 70 he was detailed, as a Provost Marshal Investigator, to assist in interviews of residents in the MacDONALD neighborhood. He related that he interviewed Mrs Jan SNIDER, 308 Castle Dr, and she advised that sometime during the early morning hours of 17 Feb 70 she heard a car "running back and forth" in the neighborhood but she did not leave her bed to investigate. She also told WIGGINS that the vehicle could have been a jeep but she was not that familiar with automobiles to make the distinctions. (EXHIBIT "C-3")

SUBSTANTIATION (Continued)

CPT Edwin G. CASPER, former neighbor of the MacDONALDs at Ft Bragg, furnished a written statement to the effect that after going to bed about 2300, 16 Feb 70, he heard voices and noises as if people were splashing water on the ground as they ran nearby his residence. He did not investigate the noises or furnish an accurate time of the incident. (EXHIBIT "D-3")

Mrs Winnie A. CASPER, also furnished a written statement which in effect is similar to that of her husband, CPT CASPER. She placed the time as about 0230, 17 Feb 70 when she heard the voices which she identified as "laughing and giggling" and scuffling and running outside her residence. She located the time because her daughter "wakes up between 0100 and 0400." (EXHIBIT "E-3")

Mrs Joan T. KANE, wife of the former Commanding Officer of Jeffrey MacDONALD, executed a written statement wherein she discussed certain details of a telephone call she received at her residence at about 0320-0330, 17 Feb 70. She said the caller was a male but she could not identify his voice or recall his conversation due to her sleepy state. (EXHIBIT "F-3")

Criminal Investigator Thomas P. TEMPLE furnished an Investigator's Statement regarding his interview of Mrs KANE. TEMPLE reports that according to Mrs KANE she only met Jeffrey MacDONALD on one or two occasions and in her opinion his lawyers used legal trickery and deception in defending him. (EXHIBIT "G-3")

Mr Russell E. FRANKLIN, school bus driver at Ft Bragg, in a written statement advised he operated a school bus that transported Kimberly MacDONALD to her school. He recalled that about two weeks prior to her death when departing the bus she said "I wished you were my daddy." FRANKLIN said that he told her something to the effect that she shouldn't say that, that she had a good daddy and Kimberly replied, "My daddy is a mean daddy." This was the only such remark he heard Kimberly MacDONALD utter regarding her father. He also related that he had heard unsupported rumors regarding Coletta MacDONALD's marital infidelity and stated he didn't know the source of the rumors. (EXHIBIT "H-3")

CPT Richard C. THOESSEN, military acquaintance of Jeffrey MacDONALD, furnished a statement regarding his association with the MacDONALDs. According to Richard THOESSEN, he considered the couple to be happily married and he is of the opinion that Jeffrey MacDONALD did not kill his wife and daughters. THOESSEN said that he learned from Jeffrey MacDONALD in early Feb 70 that he planned on being the Ft Bragg boxing team physician and that this would entail a trip to Russia for boxing matches. (EXHIBIT "I-3")

SUBSTANTIATION (Continued)

CPT Mary J. THOESSEN, wife of Richard THOESSEN, also furnished a written statement regarding her association with the MacDONALDs. She identified the MacDONALDs as a very happy and devoted family. She also did not recall seeing an ice pick or paring knife with a bent blade in the MacDONALD residence on her visits. Mary THOESSEN said she did see an ice crushing machine in the MacDONALD residence. (EXHIBIT "J-3")

Investigative Notes prepared by Criminal Investigator Vernon SPESSERT, are set forth in an Investigator's Statement of KEARNS and cover an interview with Richard THOESSEN on 19 Feb 70. SPESSERT's notes reflect that Richard THOESSEN was at a post gymnasium with Jeffrey MacDONALD on the afternoon of 16 Feb 70 and that Jeffrey MacDONALD departed the gym for his residence at about 1800. THOESSEN identified other friends of Jeffrey MacDONALD as HARRISON, CPT Charles PROBST, CPT Robert BUTNER and a CPT Frank MOORE. The notes reflect that Richard THOESSEN said that  
(7)(C) *Invade Privacy* and that  
in Dec 69 Jeffrey MacDONALD (who was TDY in Puerto Rico) left for NY State help his brother in some way. (EXHIBIT "K-3")

CPT Robert W. BUTNER, acquaintance of Jeffrey MacDONALD, detailed his association with the MacDONALD's in a written statement. He described the MacDONALD's as happily married and recalled that Jeffrey MacDONALD told him of the attack which took place on the morning of 17 Feb 70. R. BUTNER related that he was aware that HARRISON had made verbal sexual overtures to Mrs BUTNER on one occasion but he does not know if HARRISON made such inferences or approaches to Colette MacDONALD. He related that he had been a visitor to the MacDONALD home, including Thanksgiving Day 1969, but he never observed an ice pick or paring knife with a bent blade in the residence. (EXHIBIT "L-3")

Mrs Mary C. BUTNER, former friend of Colette MacDONALD, in a written statement advised that she considered Jeffrey and Colette MacDONALD to be a very close couple. She also stated that she had not seen an ice pick or a paring knife with a bent blade in the MacDONALD residence although they could have had such items. She stated that HARRISON did say that he would like to go to bed with her but that this took place in Apr or May 70 and she had no knowledge that HARRISON ever approached Colette MacDONALD in a similar manner. (EXHIBIT "M-3")

CPT James N. WILLIAMS, military associate of Jeffrey MacDONALD, in a written statement furnished information regarding CPL David E. BADGER, a Ft Bragg soldier who allegedly was disgruntled because he didn't receive Jeffrey MacDONALD's assistance in obtaining a discharge from the service. BADGER was described as dangerous and it was intimated that he could possibly have been involved in the murders. (EXHIBIT "N-3")

SUBSTANTIATION (Continued)

Special Agent (7)(C) Jr, Federal Bureau of Investigation, Fayetteville, NC, furnished his report covering that agency's investigation into the MacDONALD murders.

The synopsis of the report is quoted verbatim below:

"On 2/17/70, wife and two daughters of Capt JEFFREY ROBERT MAC DONALD discovered dead at MAC DONALD residence, Fort Bragg, N.C., from beatings and stab wounds. Capt MAC DONALD, suffering from superficial wounds and one punctured lung, advised crime committed by four "hippies" whom he described as two white males, one Negro male and one white female. Extensive investigation by FBI and military authorities has failed to develop any information or evidence to support information furnished by Capt MAC DONALD. Additional investigation by military authorities awaiting receipt of report of completed examinations by CID Laboratory, Fort Gordon, GA."

The report covered in detail the initial report of the incident; interviews with initial military police at the scene; physical condition of Jeffrey MacDONALD upon his arrival at the hospital; the investigation conducted at the MacDONALD residence; interviews with Jeffrey MacDONALD and his neighbors and acquaintances; professional activities of Jeffrey MacDONALD; activities of Colette MacDONALD; examination of MacDONALD's duty desk and the investigation to develop possible suspects. (EXHIBIT "O-3")

Certain information regarding the investigative activity expended in identifying those suspects generally described as "hippies" also appears in the FBI report (EXHIBIT "O-3") referred to above.

In addition, a listing of "hippie" groups was maintained and the major groups identified during the investigation are reported as follows:

Helena STOECKLEY  
New York Four  
Neil BRASWELL  
(7)(C)  
Donna CARNEY

"HELENA STOECKLEY"

Miss Helena Worlie STOECKLEY, Aka: Margie Worlie RAYNOR, was first mentioned in this investigation as a suspect during the conduct of the Article 32 Hearing convened at Ft Bragg for investigation of the charges that Jeffrey MacDONALD murdered his wife and children. During the hearing,

SUBSTANTIATION (Continued)

Mr William E. POSEY, a resident of Fayetteville, NC, testified that he observed his next door neighbor STOECKLEY return to her residence in Fayetteville at about 0345 to 0430, 17 Feb 70. She exited a car occupied by at least two males and POSEY described her as a "hippie" type who frequently wore attire similar to Jeffrey MacDONALD's description of the female assailant. He said that STOECKLEY claimed she was "stoned" and had no alibi for her whereabouts on the night of the murders. (EXHIBIT "P-3")

Detective 7C, Fayetteville Police Department, furnished a written statement detailing his association with STOECKLEY. According to 7C, STOECKLEY was first interviewed by him on the evening of 17 Feb 70 and she did not indicate involvement in the murders at that time, nor did she indicate that she could not recall her activities on the evening of 16-17 Feb 70. 7C advised that during the investigation STOECKLEY was also interviewed by the FBI and CID and nothing concrete was established regarding her involvement. 7C also said that he has known STOECKLEY for about three years.

7C advised that she identified a Bruce FOWLER as the owner of the car she claims she was in when seen by POSEY and further, that the last person she remembers seeing on the evening in question was a Greg MITCHELL. According to 7C, she also identified a Negro acquaintance of hers known only as "EDDIE," as a person she knew to wear a field jacket on occasion (thus fitting the description furnished by Jeffrey MacDONALD regarding his alleged Negro assailant). STOECKLEY also told 7C that at the time of the murders she was sharing an apartment with two girls she identified as Kathy SMITH and Diane REDDEN. He further identified other acquaintances of STOECKLEY and/or her friends. 7C also said that STOECKLEY is a drug user and drug pusher; that it is his conviction that she is "involved in the MacDONALD case (or at least she thinks she is) or that she is doing this just to get all the attention that she possibly can." (EXHIBIT "Q-3")

KEARNS in another statement sets forth his interview of Mr Pat REESE, reporter for the Fayetteville Observer, Fayetteville's afternoon daily newspaper. REESE advised that he has been active in various drug abuse rehabilitation programs in the Fayetteville - Ft Bragg area for a number of years and that during this activity he became acquainted with STOECKLEY and her various friends. He stated that he had personally interviewed her a day or two after the MacDONALD murders and at that time she told REESE she had no connection with the murders but also claimed she "had dropped" Mescaline on that evening. REESE observed that he would classify STOECKLEY as a complete fabricator when it came to claiming that she had no knowledge of her activities on the evening of the murders because of her use of Mescaline and he based this on several facts; that the

SUBSTANTIATION (Continued)

"hippie" groups in Fayetteville were well aware of Jeffrey MacDONALD's allegations that a "hippie" took part in the murders and these groups would have readily identified the murderers if they were their peers just to relieve themselves of continued police inquiries; that Mescaline was not in use in the Fayetteville area because what was really being used was a mixture of amphetamines and strychnine and the users were calling this Mescaline. He said that had STOECKLEY used this she would have experienced only a possible "absent period" of about 1 to 1 1/2 hours and even during this period she would have had some knowledge of her activities. REESE also said that in his opinion STOECKLEY had just decided to get herself involved in the investigation and enjoys the attention she gets from such involvement. (EXHIBIT "R-3")

Mrs Betty J. BISHOP, a former neighbor of STOECKLEY's acquaintance, Greg MITCHELL, furnished a written statement wherein she identified MITCHELL as a drug user. She recalled that MITCHELL's mother related that on one occasion, sometime in the spring of 1970, while under the influence of drugs, MITCHELL had exclaimed that he had to kill all "the ten year olds." She said she did not know STOECKLEY. (EXHIBIT "S-3")

Miss Kathy A. SMITH, former acquaintance of STOECKLEY, in a written statement described STOECKLEY as a drug user and identified STOECKLEY's boyfriend as Greg MITCHELL. She recalled that MITCHELL and STOECKLEY returned to the apartment she shared with STOECKLEY in Fayetteville at about 0400, 17 Feb 70; that STOECKLEY couldn't have been with Bruce FOWLER on that evening because he was in the company of Miss SMITH. She further stated that STOECKLEY voiced apprehension about police interviews concerning the MacDONALD murders because she didn't have an alibi because she had used Mescaline and couldn't remember all of her activities. She remarked that STOECKLEY also said she didn't want to get Greg MITCHELL involved when she talked with police authorities. SMITH said she doesn't believe STOECKLEY was involved in the murders and she related other background information regarding STOECKLEY. (EXHIBIT "T-3")

Mrs Dianne M. CAZARES, Nee: HEDDEN, former acquaintance of STOECKLEY, furnished a written statement regarding her knowledge of STOECKLEY's activities on the night of 16-17 Feb 70. She differed in her rendition of the times that Kathy SMITH and STOECKLEY returned to the apartment in that she claimed that SMITH returned at about 0530, 17 Feb 70 and she did not see STOECKLEY until later that same day. She recalled that she thinks she saw Greg MITCHELL and STOECKLEY at her place of employment in Fayetteville at about 2300, 16 Feb 70. She said she knew that STOECKLEY was interviewed by the police and newspaper reporters in Feb 70 shortly after the murders and that STOECKLEY enjoyed this exposure. She identified STOECKLEY as a heavy drug user and also said that Greg MITCHELL was using heroin. She does not think that STOECKLEY was involved in the murders. (EXHIBIT "U-3")

SUBSTANTIATION (Continued)

Patrolman 7C, Nashville, TN, Police Department executed a written statement 7C

His period of association began in Feb 71 when STOECKLY was in that city while attending college. According to 7C she mentioned that authorities "wanted" her in connection with the MacDONALD murders and he subsequently passed the information received from STOECKLY to CID. He said that STOECKLY on several occasions commented on the MacDONALD murders and she contradicted herself in these discussions. 7C related that she mentioned a boy named "GREG" and Bruce FOWLER in connection with the murders and 7C said he was convinced that she knows something about the murders. (EXHIBIT "V-3")

On 6 Jun 71, an article appeared on the front page of The Nashville Tennessean which set forth the experiences of a female identified as a "heroin addict". The details of the girl's life so closely parallel those of STOECKLEY that it is believed she is the subject of the article. The article includes the statement, "She is suspected of murder in a North Carolina case that she says she knows little about and she had nothing to do with it." (EXHIBIT "W-3")

Mr Gregory H. MITCHELL, former boyfriend of STOECKLEY in a signed, sworn statement advised he could not remember being in STOECKLEY's company on the evening of 16-17 Feb 70. He said that he discussed the MacDONALD murders with STOECKLEY and that she claimed she was with Kathy SMITH on the evening in question; that she did not take part in the murders and did not know who was involved. MITCHELL also said he did not take part in the murders nor does he know who committed the murders. (EXHIBIT "X-3")

Mr Bruce J. FOWLER, former associate of STOECKLEY, furnished a written statement wherein he denies participation in or knowledge of the identity of the person(s) responsible for the murders of the MacDONALD family members. FOWLER said he couldn't recall his activities on the evening of 16-17 Feb 70 and though he knew STOECKLEY, he had no knowledge of her activities on that night. (EXHIBIT "Y-3")

Mrs Janice M. FOWLER, wife of Bruce J. FOWLER, in a written statement advised she was in Cincinnati, OH in Feb 70; that she does not know STOECKLEY and has no knowledge of the identity of the person(s) responsible for the MacDONALD murders. (EXHIBIT "Z-3")

Miss Kathy SMITH and Detective 7C furnished copies of letters allegedly written to them by STOECKLEY. In the "SMITH letters" STOECKLEY generally denies participation in the MacDONALD murders. In the "7C letters", she also adds that she did not take part in the MacDONALD murders and further inquired whether a polygraph would indicate if she was in fact at the residence on the night in question. (EXHIBITS "A-4", "B-4", and "C-4")



(b)(6) Medical Record

Criminal Investigator Robert A. BRISENTINE, Jr., administered polygraph examinations to STOECKLEY, Mr and Mrs FOWLER, Gregory MITCHELL, and POSEY. (EXHIBITS "E-4", "F-4", "G-4", "H-4", and "I-4")

In a post polygraph examination interview BRISENTINE set forth details of his interview with POSEY wherein POSEY said he did not observe STOECKLEY dismount from an automobile on the morning of 17 Feb 70 but only observed her walking from an automobile towards her residence. POSEY told BRISENTINE that he does not know the make of the automobile that was parked near STOECKLEY's residence on the morning in question and only described it as one he observed in "his dreams". POSEY also claimed that he is not positive that the morning he saw STOECKLEY walk from the automobile was the same morning as the murders; that he did not form an opinion as to STOECKLEY's involvement in the homicides until a week after the murders and it was also at this time that he formed the opinion that the day (17 Feb 70) he observed her walk from the automobile was the day of the murders. POSEY also told BRISENTINE that the basis for his opinion that STOECKLEY was involved in the murders was the manner STOECKLEY talked about the incident, her statement to the effect that she was under the influence of drugs the night of the murders and could not account for her actions, and her manner of dress. (EXHIBIT "I-4")

BRISENTINE also furnished a written statement covering his interview of STOECKLEY. In the interview, as reported by BRISENTINE, STOECKLEY vacillated from non-involvement in the MacDONALD murders to an eye witness to the murders. (EXHIBIT "J-4")

In laboratory examinations MEDLIN and HAAS stated that known fingerprints of STOECKLEY, Mr and Mrs FOWLER, Gregory MITCHELL, Kathy SMITH and Mrs CAZARES were compared to those unidentified latent fingerprints developed at the crime scene and these examinations revealed no matching impressions. (EXHIBITS "S-1" and "C-2")

In their report of laboratory examinations CONNORS and GLISSON advised that comparative examination of STOECKLEY's hair with that hair found in the hands of Colette MacDONALD showed same to be dissimilar in physical characteristics. (EXHIBIT "X-1")

"New York Four"

The "New York Four" were introduced as suspects in this investigation during police checks made by representatives of CID with various police

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SUBSTANTIATION (Continued)

agencies in the home area of the MacDONALD family in New York State. In police reports members of the Suffolk County Police, Hauppauge, New York, under that agency's file 70-88438, furnished background information regarding Jeffrey MacDONALD and his brother James MacDONALD. The various reports in the file make mention that certain associates of James MacDONALD fit the physical description of the intruders as identified by Jeffrey MacDONALD and these persons were identified as:

Kenneth BARNETT, 7C NY  
(Male/Caucasian)

Annette BURNETT, Nee CULLITY, 7C  
, NY, (Female/Caucasian)

Gary BURNETT, 7C NY  
(Male/Caucasian)

Joseph LEE, 7C NY  
(Male/Caucasian)

The reports reflect that shortly after the murders, BARNETT was observed in the Bayport, NY area, in "an old" Pontiac or Chevrolet sedan equipped with North Carolina license plates. At the time BARNETT was accompanied by an unknown Caucasian female described as having long blonde hair and wearing a floppy hat; that a third occupant of the vehicle was a male Caucasian who spoke with a southern accent.

Suffolk County  
Police Department Documents

John C. HAMPSON, 7C NY, was also mentioned in the files as 7C and the fact that he frequently wore an Army field jacket and thus also fit the description of one of the assailants as related by Jeffrey MacDONALD.

The file reflects that on 18 Dec 70, Jeffrey MacDONALD and an apparent legal representative, identified as Judge RODGERS (William

SUBSTANTIATION (Continued)

ROGERS, Police Justice, Patchogue, NY) presented themselves in the office of the Chief of Police, Suffolk County. In an interview with the Acting Chief of Detectives, 7C, they were advised of the extent of the assistance rendered to CID by that agency in the conduct of the investigation and were allowed to read the police files prepared by that agency which were furnished CID. (EXHIBIT "K-4")

Criminal Investigator Lyle B. SMITH, in a written statement details his investigation in conjunction with representatives of the Suffolk County Police regarding the members of the "New York Four", plus HAMPSON. SMITH's investigation verified in the main, the activities of the group for the period 16-17 Feb 70. SMITH also advised that a check of insurance companies revealed that James MacDONALD had underwritten an insurance policy in the amount of \$75,000.00 on the life of Jeffrey MacDONALD and that Colette MacDONALD was identified as the prime beneficiary. No other insurance policies of interest to this investigation were revealed. (EXHIBIT "L-4")

In their laboratory report FA-D-P-C-FP-82-70-R-10 & R-12 & R-13, MEDLIN and HANNAH stated that comparison of the unidentified latent prints developed at the crime scene with the record prints of BARNETT, CULLITY, BURNETT, LEE and HAMPSON did not reveal any matching impressions. (EXHIBIT "S-1")

"NEIL BRASWELL"

*FBI Report*

(b)(5)

Deputy Sheriff 7C, Guilford County Sheriff's Office, Greensboro, in a written statement advised that on 26 Feb 70, BRASWELL was confined to the Guilford County Jail. On that date, according to 7C, he was approached by BRASWELL who stated "They are looking for the MacDONALD murderers," and something to the effect, "I had something

SUBSTANTIATION (Continued)

to do with it," or "I did it." (EXHIBIT "M-4")

In written statements, Patrolmen 7C and 7C  
7C, Greensboro Police Department, set forth details of their arrest  
and interview of BRASWELL (7)(C)

(NEUMANN since married is identified as Laura Jane Riddle  
Neumann SMITH) They advised that during his interview with police on  
that date, BRASWELL maintained he was "with people that did in the  
Doctor's wife and family down in Fort Bragg." (EXHIBITS "N-4" and "O-4")

Mrs Laura SMITH (Nee: NEUMANN) former acquaintance of BRASWELL  
furnished a written statement reiterating the information she previously  
disclosed in her interview with the FBI. In addition, she maintained that  
while discussing his participation in the MacDONALD murders, BRASWELL  
identified other participants as John YOUNT, male Negro; Ann White,  
female Caucasian; Buddy MacDONALD, male Caucasian. She identified  
other BRASWELL acquaintances to include Diane JOYNER and Carol TAYLOR.  
According to Laura SMITH, she was with BRASWELL at about 2030 or 2130,  
16 Feb 70 and then saw him next at about 1630, 17 Feb 70 in Greensboro.  
She stated in her opinion, BRASWELL is a pathological liar. (EXHIBIT "P-4")

Mrs Ann R. Johnson WHITE, former girlfriend of BRASWELL,  
furnished two written statements describing her association with BRASWELL.  
She stated she was acquainted with both BRASWELL and his wife Shirley  
BRASWELL; that she recalled that BRASWELL had a Negro male friend  
named John SINCLAIR. She related that BRASWELL never mentioned the  
MacDONALD murders to her and she did not believe him to be involved in  
the murders. She described BRASWELL as a liar. (EXHIBITS "Q-4" and "R-4")

Miss Nancy D. JOYNER, an acquaintance of BRASWELL, in a written  
statement denied participation in the MacDONALD murders and claimed  
that all she knew about the murders she obtained from news media. She  
identified another BRASWELL acquaintance as Doug WALKER. (EXHIBIT "S-4")

Miss Nancy C. TAYLOR, acquaintance of BRASWELL, in a written statement  
advised she heard BRASWELL infer that he was involved in the MacDONALD  
murders. She also knew from conversations with the former Jane NEUMANN  
that BRASWELL discussed the murders with her. (EXHIBIT "T-4")

SP4 Douglas L. WALKER, former acquaintance of BRASWELL's, in a  
written statement described his association with BRASWELL. He  
identified BRASWELL as (7)(C) According to WALKER,  
BRASWELL did make mention on one occasion that he was involved in a  
murder at Ft Bragg but WALKER did not believe his statements and felt  
them to be lies. (EXHIBIT "U-4")

In a written statement, Mr Howard H. McDONALD, detailed his assoc-  
iation with BRASWELL. McDONALD also identified Braswell as a drug abuser

SUBSTANTIATION (Continued)

and a pathological liar. McDONALD stated he was not involved in the MacDONALD murders and he recalled that in Mar 70 BRASWELL did say that he (BRASWELL) took part in the murders but he didn't believe BRASWELL. (EXHIBIT "V-4")

Mrs Shirley P. S. BRASWELL, furnished a written statement regarding her knowledge of certain activities on the part of her former husband, Neil BRASWELL. Mrs BRASWELL stated that BRASWELL was the "biggest liar" she ever knew and that he would lie about anything. She stated she knew he feigned drug use on occasion but she had no direct knowledge of drug abuse on his part. She learned from "Jane NEUMANN" that BRASWELL claimed that he had a part in the MacDONALD murders, but she doesn't believe this to be true. (EXHIBIT "W-4")

Criminal Investigator Richard MAHON furnished a written statement detailing his interview of Mr John SINCLAIR, Jr. SINCLAIR stated in effect that he was a friend of BRASWELL's but that he did not take part in the MacDONALD murders and did not know who the person(s) were that committed the murders. SINCLAIR told MAHON that he never heard BRASWELL discuss the MacDONALD murders. (EXHIBIT "X-4")

In another written statement, Criminal Investigator MAHON, sets forth the details of his interview with BRASWELL wherein BRASWELL denied participating in the MacDONALD murders. BRASWELL stated that he made the comments to "Jane NEUMANN" because he loved her and was afraid that she would leave him so he used this story to make her "so scared" that she would be afraid to leave him. (EXHIBIT "Y-4")

Payroll records of McFADYEN's Plumbing & Heating Co, 611 W. Lee St, Greensboro, were made available by bookkeeper Jetty C. DANKA and reflect that BRASWELL was present for work at that firm from 0756 to 1630, 16 Feb 70, and from 0759 to 1555, 17 Feb 70. (EXHIBIT "Z-4")

In their laboratory reports P-FA-D-C-FP-82-70-R21 and R22, MEDLIN and HAAS advised that comparison of the fingerprints identified with Neil BRASWELL, Mrs Shirley BRASWELL, JOYNER, Ann R.J. WHITE, SINCLAIR and Howard McDONALD, with the unidentified prints found at the crime scene did not reveal any matching impressions. (EXHIBITS "Z-1" and "A-2")

MEDICAL

Information

(b)(6)

Investigator <sup>7C</sup> State Bureau of Investigation,  
Asheville, furnished a "Rights Waiver" certificate regarding the polygraph  
examination that he administered to BRASWELL. (EXHIBIT "B-5")

SUBSTANTIATION (Continued)

Criminal Investigator KEARNS furnished a written statement regarding the polygraph examination administered to BRASWELL. KEARNS stated that according to Investigator CHAMBERS, the State Bureau of Investigation for North Carolina does not make written reports on the results of their polygraph examinations. (EXHIBIT "C-5")

BADGER

As was previously mentioned in the statement of CPT WILLIAMS (Exhibit "N-3") BADGER was mentioned as a possible suspect because of a disagreement he had with Jeffrey MacDONALD in February 70. Criminal Investigator KEARNS in a written statement (Exhibit "C-5"), points out that BADGER was apprehended at his unit on the morning of 17 Feb 70, based on information received from Jeffrey MacDONALD and CPT WILLIAMS; that BADGER denied participation in the murders. KEARNS also reports that in his interview with CID, Jeffrey MacDONALD did not identify BADGER as one of the intruders and stated that a photograph shown him of BADGER, which he recognized as one of BADGER, also did not identify with the alleged intruders. BADGER's fingerprints were forwarded to the USACID Laboratory and it was determined that BADGER's prints did not match those unidentified prints located at the crime scene. (EXHIBIT "C-5")

(7)(C)

In a written statement, Criminal Investigator KEARNS advised that (7)(C) was identified as a possible suspect through information developed by Special Agent (7)(C), FBI, on 31 Dec 70. WALTHALL reported that Mrs Betty J. GARCIA, 7C, reported to REESE of the Fayetteville Observer on that date that a former boarder at her home (7)(C) might possibly be involved in the murders.

KEARNS stated that subsequent investigation revealed that (7)(C) and her associates were identified with drug abuse in the Fayetteville-Ft Bragg area and that in Feb 71, (7)(C) was a patient in a mental institution in North Carolina. (EXHIBIT "D-5")

Criminal Investigator Darrell J. BENNETT in a written statement sets forth details of his interview with (7)(C) wherein she denies participation in the MacDONALD murders and knowledge of the identity of the person(s) responsible for the murders. (EXHIBIT "E-5")

In a written statement prepared for representatives of the USA Intelligence Command, PFC Jackie D. WOLVERTON set forth his knowledge of the drug use of (7)(C). He also stated that he had located some of her clothing and photographs which indicated the possibility that she and/or her friends may have been involved in the MacDONALD murders and he released these items to Mrs GARCIA. WOLVERTON also discussed the fact that in Dec 69 (7)(C) attacked and stabbed him with a knife. (EXHIBIT "F-5")

SUBSTANTIATION (Continued)

In their report FA-D-P-C-FP-82-70-R35, MEDLIN and HANNAH advised that laboratory comparison of the fingerprints identified as (1)(C) with the latent impressions developed at the crime scene did not reveal any matching ridge characteristics. (EXHIBIT "G-2")

"DONNA CARNEY"

Mrs Donna Marie FIELDEN (Nee: CARNEY) (deceased), formerly of 105 North Anteros Street, Stockton, CA, is identified in the written statement of Criminal Investigator BENNETT as a suspect in the MacDONALD murders as the result of a telephone call placed to the Fayetteville Police Department on 29 Apr 71. In his statement, BENNETT points out that the Fayetteville Police furnished information to the effect a man identifying himself as "John BOYER" called that department and claimed CARNEY was involved in the MacDONALD murders.

"BOYER" was subsequently identified as Larry Alfred WILLIAMS,

(1)(C)

(b)(6)

WILLIAMS in an interview with CID denied making the telephone call to the Fayetteville Police Department but admitted knowing FIELDEN. (EXHIBIT "G-5")

LT 7C, Detective, Stockton Police Department, furnished that agency's reports concerning their investigation into the background and activities of FIELDEN. The reports cover her interviews wherein she denies participation in and knowledge of the MacDONALD murders. The report also reflects information to the effect that from Nov 69 through the date of her interview, 4 Sep 71, she was residing in California.

It was noted that on 31 Jan 72, FIELDEN died in a fire at her trailer home in Stockton. The death was determined to be accidental and the cause of death being carbon monoxide poisoning

(b)(6) Medical Info

(EXHIBIT "H-5")

"YENGICH and PRICE"

In his Investigator's Statement (Exhibit V-2), Criminal Investigator REYNOLDS reports his interview of Mrs KALIN wherein she identified the only persons "she could think of that came close to the description" (furnished by Jeffrey MacDONALD of his assailants) were two GIs, "YUNKUS and PRICE" who met the description. Criminal Investigator KEARNS in a written statement sets forth the identifications of "YUNKUS and PRICE" as PFC Donald N. YENGICH, and PFC Harold L. PRICE, both assigned to HEC, 13th Psychological Operations Group at Ft Bragg and former classmates of Mrs KALIN in a German language class. KEARNS related that the inves-

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SUBSTANTIATION (Continued)

tigation didn't develop information linking either to the murders and that YENGICH and PRICE did not meet the physical descriptions as furnished by Jeffrey MacDONALD. (EXHIBIT "D-5")

ARTICLE 32 HEARING

Colonel Warren V. ROCK, Investigating Officer, submitted a summary of the Article 32 Hearing held at Ft Bragg during the period 15 May through 13 October 1970. The hearing was held to determine whether the charges of premeditated murder of which Jeffrey MacDONALD was accused would be referred for trial by general court-martial. The summary reflects that as a result of his investigation, ROCK made the following findings:

"RECOMMENDATIONS"

In the interest of military justice and discipline, it is recommended that:

1. All charges and specifications against CAPTAIN JEFFREY R. MacDONALD be dismissed because the matters set forth in all charges and specifications are not true. There are no lesser charges and/or specifications which are appropriate.

2. That appropriate civilian authorities be requested to investigate the alibi of HELENA STOKELY (sic), Fayetteville, North Carolina, reference her activities and whereabouts during the early morning hours of 17 February 1970, based on evidence presented during the hearing." (EXHIBIT "I-5")

THE KASSAB AND MALLEY ALLEGATIONS; THE SENATOR ERVIN INQUIRY

LTG Walter T. KERWIN, JR, Deputy Chief of Staff for Personnel, DA, in a Memorandum For the Chief of Staff, USA, forwarded replies to allegations made by Mr Alfred G. KASSAB, step-father of Colette MacDONALD and 1LT Michael J. MALLEY, military counsel for Jeffrey MacDONALD during portions of the Article 32. The allegations made by KASSAB and MALLEY are similar to those questions posed by Senator Sam J. ERVIN, JR in that it was alleged that CID and Military Police were negligent in the investigation of the murders and may have committed perjury while testifying at the Hearing. Additional allegations concerned what was termed as improper and/or unethical acts on the part of those military lawyers assigned to the Government's case at the Hearing. General KERWIN's memorandum sets forth replies to all of the allegations made by KASSAB and MALLEY and also answers certain questions posed by Senator ERVIN. Attached to the Memorandum were numerous substantiating documents and the following have been included with this Exhibit because in the main they address activities at the crime scene:



SUBSTANTIATION (Continued)

Statement of LTC Joe W. PARSON, 20 Dec 70  
 Statement of COL Robert J. KRIWANEK, 18 Dec 70  
 Statement of COL Warren V. ROCK, 5 Jan 71  
 Statement of CW2 Robert B. SHAW Jr, 16 Dec 70  
 Statement of CW2 William F. IVORY, 15 Dec 70  
 Statement of CW2 William F. IVORY, 4 Jan 71  
 Statement of CW2 William F. IVORY, 2 Feb 71  
 Statement of CW3 Franz J. GREBNER, 15 Dec 70  
 Statement of CW3 Franz J. GREBNER, 20 Dec 70  
 Statement of MSG Hilyard O. MEDUN, 16 Dec 70  
 Statement of Crim Inves Bennie J. HAWKINS, 20 Mar 71  
 Statement of Crim Inves Bennie J. HAWKINS, 21 Dec 70  
 Statement of SP4 Kenneth C. MICA, 21 Dec 70  
 Statement of PFC Dennis R. MORRIS, 28 Dec 70  
 Statement of Mr Richard D. TEVERE, 29 Dec 70  
 Statement of Dr William P. NEAL, 27 Feb 71 (EXHIBIT "J-5")

BG Harold E. PARKER, Assistant Judge Advocate General for Military Law, DA, in a Memorandum for the Secretary of the General Staff, DA, set forth his comments and opinions regarding the conduct of military lawyers assigned to the Government's case and also furnished details regarding certain legal procedures which apparently were found in sufficiency and/or law by KASSAB. (EXHIBIT "K-5")

STATEMENTS OF JEFFREY MACDONALD

Special Agent (7)(C) FBI, Fayetteville, furnished details of his interviews of Jeffrey MacDONALD on 17, 18 and 20 Feb 70. These interviews are recorded in the report prepared by SA WALTHALL and are summarized as follows:

SUBSTANTIATION (Continued)

Interview of 17 Feb 70:

He said he arrived at his residence at about 1700 to 1730, 16 Feb 70, from work after he had played basketball with office acquaintances. He ate the supper meal with his wife Colette, and then she departed for her evening class at the North Carolina State University Extension, Ft Bragg.

After his wife returned from school they watched television together and about 2330 she took some medication to help her sleep, since she was three to four months pregnant and retired for the evening. He said before his wife had retired he placed their youngest daughter, Kristen, in the master bedroom because she didn't want to sleep alone. While getting her a bottle of milk, his wife, in the meantime, had gotten in bed and he took Kristen and placed her in the bed with his wife.

He watched television thereafter until about 0100, 17 Feb 70 and then read about 50 pages from a novel. He then did the supper dishes for his wife and about 0200 or 0230 he went to the master bedroom to go to bed and noticed that Kristen had wet the bed. Jeffrey MacDONALD advised that he carried Kristen back to her own bed and then he prepared to sleep on the living room sofa and this was about 0230.

According to Jeffrey MacDONALD, he was awakened at an unknown time when he heard his wife screaming, "Jeff, Jeff, help me," "Jeff why are they doing this to me?" He said that at about the same time heard his oldest daughter, Kimberly, scream, "Daddy, Daddy, Daddy," over and over again. He sat up on the couch on his elbows at which time he saw "people" standing at the foot of the couch; one Negro was on the far left walking toward him and he observed two white males at the foot of the couch and when one white male moved to the side, he then saw a white female behind the two white males. The female was holding what appeared to him to be a lighted candle in her hands in front of her body.

He stated that before he could say anything, the Negro was next to him with a club in both hands raised over his head. He raised his hands and arms to protect himself and was hit on the arms and forehead by the club. He recalled that just before he was hit by the Negro, he heard the white female chanting in a monotone voice, "Kill the pigs;" "Acid and rain are groovy, man." "Acid is groovy." He was then hit on the forehead and fell back onto the couch with the white female continuing her chanting. He said he then began fighting with the Negro and one of the white males started hitting him in the side. He grabbed the club in the Negro's hands and pulled it down towards him at which time he observed that the Negro was wearing an Army fatigue jacket with sergeant E6 stripes on it. He identified the Negro's hands

SUBSTANTIATION (Continued)

as wet and slippery and while fighting the Negro he kept getting hit in the side and shortly thereafter felt a severe pain in his side and chest. He pushed the Negro and white male away towards the hallway with the Negro and white male tearing his pajama top. The pain in his chest became quite severe and he fell to the floor in the hallway. While falling to the floor he observed that the white female was wearing high brown or dark fake leather boots with her white knees showing above the boots. The knees and boots were wet but not bloody. He then passed out in the hallway.

Jeffrey MacDONALD recalled that while fighting with the Negro and white males, in the hallway, he noticed that one of the white males had a knife or ice pick in his hands. He does not know how long he was unconscious but when he awoke, he was on the floor in the hallway with his pajama top torn, bloody and twisted around his wrists.

He said he then got up from the floor and went into Kimberly's room and saw blood all over the bed; that he felt her pulse and heartbeat but could not find either and then went to Kristen's room and found no pulse or heartbeat. He said he used the telephone in the master bedroom and called the Fayetteville telephone operator and said, "I need an ambulance and MPs at 544 Castle Drive." He said the operator started asking him questions, such as his Social Security Number, reason for an ambulance, etc, and he laid the phone down and again checked his children.

Jeffrey MacDONALD advised he then went to the kitchen and again called the operator and repeated his request; that he waited about 5 minutes and a male voice answered the phone. He then returned to the master bedroom and pulled a knife from his wife's chest and started to give her mouth-to-mouth resuscitation. He could feel no life in her body and he then covered her with a white towel and his pajama top. The next thing he remembered was being awakened by a military policeman as he was lying over his wife's body.

(7)(C) FBI pointed out that during the interview Jeffrey MacDONALD became emotionally upset and at times was unable to follow a logical sequence of events. Jeffrey MacDONALD furnished (7)(c) FBI the following physical description of the individuals he observed in his house:

- #1: Negro, male, 18 to 24 years, 5'11" (approximately), 170 lbs, medium build, medium complexion, black hair cut close to the head, wearing Army fatigue jacket with sergeant E6 stripes.

SUBSTANTIATION (Continued)

- #2: Caucasian, female, 16 to 25 years, 5'6", long, light blonde hair hanging to the middle of her back, wearing a large "floppy" hat, dark colored, high brown or black fake leather boots, either short skirt or shorts.
- #3: Caucasian, male, 18 to 25 years, 5'11", wearing a sweat shirt with hood hanging down the back.
- #4: Caucasian, male, 18 to 25 years, 5'8", wearing moustache.

Interview of 18 Feb 70:

Jeffrey MacDONALD furnished substantially the same information as in his interview of 17 Feb 70 but did recall checking windows in the children's rooms because he wanted to make sure that it was not too cold in their rooms. He believed he did not check the front or utility room doors to see if they were locked because he claimed that he and his family seldom used that door.

He recalled turning on the light in the main bathroom and the kitchen before retiring and he frequently did this for the children's safety should they get out of bed during the night.

He also advised that after his fight with the males he thinks he went to the main bathroom and checked his wounds and this happened after he had checked his wife and children.

He said he recalls hearing his wife and daughters screaming as he was fighting with the Negro and white male but does not recall seeing all four of the assailants together when he was fighting. He further advised that the shorter white male with the ice pick or knife in his hands, was wearing light weight gloves. Jeffrey MacDONALD continued that the gloves may have been surgical gloves. He related that he had several pairs of surgical gloves at his residence and his wife used them when doing the dishes or cleaning to protect her hands.

He concluded that he believed he could recognize the Negro male and the female but could not identify either of the two white males.

Interview of 20 Feb 70:

Jeffrey MacDONALD furnished additional information regarding his activities on the weekend preceding the murders and also detailed his work day on 16 Feb 70. After work and playing basketball he returned to his residence, showered and ate the evening meal. After his wife Colette

SUBSTANTIATION (Continued)

departed the residence he remained in the residence with his children and received no visitors or telephone calls. His daughter Kristen went to bed about 1900 and Kimberly retired at 2100, 16 Feb 70. He furnished the same information regarding the return of his wife from her class at about 2140, 16 Feb 70 and stated he could give no additional information with the exception that he may have looked out of the utility room door of the residence after he made the two telephone calls for assistance. He could not remember if it was raining or not and he recalled that he had a "lot of blood" on himself but felt that the blood was probably from his wife and children due to the nature of his wounds.  
(EXHIBIT "O-3")

Interview of 6 Apr 70:

Criminal Investigators Franz J. GREBNER, SHAW and IVORY furnished a transcript of an interview held with Jeffrey MacDONALD on 6 Apr 70 wherein he was advised that he was a suspect in the murder of his wife and children. In the statement Jeffrey MacDONALD furnished more details of the events of the evening of 16-17 Feb 70 and denied murdering his wife and children. Significant comments he made are set forth as follows:

He recalls checking the utility room door sometime after he regained consciousness.

He washed himself in the main bathroom after seeing his wounds.

He entered the kitchen only as far as the telephone.

He could not identify the "Geneva Forge" or "Old Hickory" paring knives as coming from his residence and said that he did not have an ice pick in his residence. He opined that the piece of wood used in the murders could have been around his house but he doubts that he had any of that size.

If any of the intruders were injured during his attack it would have been the Negro male and he thinks he scratched him on the face.

He could identify no suspects or a reason for anyone wanting to harm him or his family.

He maintained his pajama top was torn in his struggle in the living room area before he laid the top over his wife's body.

He said he used gloves when he washed dishes on the early morning of 17 Feb 70 but can't recall whether they were the surgical gloves or regular rubber kitchen gloves.

SUBSTANTIATION (Continued)

He recalled that when he looked out the utility room door it was standing open.

He does not recall moving his wife's body after he located her on the floor of the east (master) bedroom but feels that he might have instinctively adjusted her shoulders so that she would be lying flat on her back when he administered his initial aid to her.

He wasn't wearing his glasses when he checked his children and presumes the blood on the lens of the glasses was placed there when he was attacked.

He explained his injuries in comparison to those of the murdered members of his family by the opinion that perhaps he was the first one attacked during the assault and his wife and children were then brutally murdered after he was rendered unconscious.

He described his wounds as "a couple of blows on the head and a lot of little puncture wounds, and a little cut on the abdomen and a couple of stab marks in the arm and a puncture wound in the lung." (EXHIBIT "L-5")

TESTIMONY OF JEFFREY MACDONALD AT ARTICLE 32 HEARING

A copy of the testimony furnished by Jeffrey MacDONALD at the Article 32 Hearing was obtained and in his testimony he denied killing his wife Colette and their children Kimberly and Kristen. Jeffrey MacDONALD testified on 13, 14 and 15 Aug 70 and again he set forth details of his activities on the evening of 16-17 Feb 70. (EXHIBIT "M-5")

ROCK, in his summary of the Article 32 Hearing (EXHIBIT "I-5") reported the testimony as follows:

"Captain JEFFREY R. MACDONALD, Headquarters and Headquarters Company, 6th Special Forces Group, 1st Special Forces, Fort Bragg, North Carolina, testified he is 26 years old and was president of his class and of the student council in high school, a member of various school organizations and a co-captain of both the football and the baseball teams. He attended Princeton for premed schooling on a partial scholarship and attended North-Western for his medical degree where his class standing was 12th among 164 graduating students. He interned in surgery at Columbia Presbyterian Hospital in New York City. He married COLETTE in his second year at Princeton and both worked to get him through school and to pay living expenses. COLETTE was pregnant at the time of the marriage (p M-5).

The ACCUSED volunteered to come into the United States Army and, in

SUBSTANTIATION (Continued)

turn, for assignment to the Special Forces, arriving at Fort Bragg 29 August 1969. During part of his off-duty time he "moonlighted" at Cape Fear Valley Hospital in Fayetteville, North Carolina, and at the Hamlet Hospital in Hamlet, North Carolina (p M-9). On Sunday, 15 February, at 0600, the accused began a 24-hour shift at the Hamlet Hospital. He did not see many patients that day, took one short nap during the day and slept approximately six hours that night. He returned to Fort Bragg on Monday morning, 16 February, had breakfast with his family and went to work at the 6th Special Forces Group Surgeon's Office. He had lunch at home, returned to work and at approximately 1600 hours played basketball.

Upon returning home he picked up KRISTEN and KIMBERLY and took them to feed their pony. The family ate dinner, prior to 1800 hours because his wife left for class at North Carolina State University at 1815 hours. The ACCUSED then put the dinner dishes into the sink and watched TV with the children after putting them in their pajamas. At approximately 1900 hours he put KRISTEN to bed with a bottle of milk, returned to the living room floor and fell asleep. KIMBERLY awakened him so they could watch the TV program "Laugh In" together. At 2100 hours he put KIMBERLY to bed and returned to watch TV.

COLETTE returned home between 2130 and 2145 hours, put the milk she had purchased in the refrigerator and changed into her pajamas. She came into the living room and they watched TV and had some routine conversation. The ACCUSED thinks COLETTE may have had a drink (liquor) (sic) and watched part of the Johnny Carson show. He thinks she went to bed around midnight. At some time after his wife had retired, KRISTEN awoke and the ACCUSED re-filled her bottle and he heard no more from her. He finished watching the Johnny Carson show and then washed the dishes, using rubber gloves he thinks.

Reference rubber gloves in the kitchen he states, "...she had several kinds around. It was at least two pairs on the kitchen sink. There was a heavy yellow kitchen type of glove and some of the surgeons gloves that I had brought her home...." (p M-83).

Next the ACCUSED completed reading a Micky Spillane mystery while listening to a FM station on the stereo set. He was wearing his glasses while reading. He cut off the stereo, probably went to the small bathroom off the utility room but did not check doors to see if they were locked (p M-85). He states that a light in the kitchen and one in the hall bathroom were on when he was ready to retire. Lights were left on at night for the children in the event they awakened.

When the ACCUSED went into the EAST bedroom he found KRISTEN on his side of the bed (right side, facing the foot of the bed) asleep. She

SUBSTANTIATION (Continued)

had wet the bed on his side so he pushed the covers down along COLETTE and returned KRISTEN to her own bed. She had her bottle with her at the time she was back in her own room.

Next he obtained an Afghan type blanket and went to the couch in the living room, shortly after 0200 hours, his head to the south end of the couch. His sleep was interrupted by COLETTE's "...very loud high pitched scream...", and then she said "...help, help Jeff. Why are they doing this to me?..." (p M-25). He also heard KIMBERLY screaming, "Daddy, Daddy" over and over. At this time he started to sit up and initially saw three people at the foot of the couch, two white males, one with a thin mustache, and a Negro with an Army field jacket to their right. Next he noticed a person, apparently female, with long blond hair and a light colored large floppy hat. The outline of her face appeared to be lit from underneath (p M-99). As the Negro was moving towards the ACCUSED between the coffee table and the couch, he heard the girl say "Acid is groovy, kill the pigs," at least twice, and once said something like, "Acid and rain" (p M-27).

The Negro approached the ACCUSED with what appeared to be a raised club and swung it, striking the ACCUSED on the left arm and left forehead and knocking him back flat on the couch, causing him to literally see stars (p M-29). He then pushed himself back up again and he partially blocked the next swing of the club as he grabbed the Negro's arm and was holding the club. The ACCUSED attempted to get his left foot off the couch for leverage and then the two white males began to punch him on the chest, neck and shoulders and suddenly he, "got a very sharp pain in my chest, my right chest..." (p M-32). He then directed his attention to the two males at the end of the couch.

At this time his pajama top had, in some unknown manner, gotten around his wrists. He grabbed hold of a hand of one of the white assailants and noticed a blade and realized that he was in serious trouble. He is under the impression the hand was covered with a heavy rough grained rubber glove (p M-98). He attempted to get his hands free and to fend off the assailants when he was again hit by the club, this time in the shoulder. By this time he thinks his left foot was on the floor, his right knee on the couch and he was pushing forward into the assailants at the foot of the couch, and last remembers seeing a knee and the top of what he thinks was a boot, probably on the hall stairs or at the end of the hall, and presumes the leg was that of a female. The entire episode took fifteen to thirty seconds in his estimation (p M-33).

The ACCUSED apparently lost consciousness because the next thing he remembers is lying at the living room end of the hall, face down, with his hands under his abdomen and still entwined in the pajama top. His



SUBSTANTIATION (Continued)

teeth were chattering. His head and chest hurt, and he realized it was very quiet and that the last thing he heard was screaming. He walked to the EAST bedroom and thinks he turned on the light. When he saw COLETTE, he took off the pajama top and dropped it; he went to COLETTE who was leaning against the green easy chair, removed a knife from her chest and threw it away. He then "...probably straightened her out a little bit..." (p M-107), gave her mouth to mouth resuscitation for a few seconds and noticed the air immediately bubbling out of her chest where he could see multiple wounds. He specifically remembers picking up his pajama top, opening it up, and laying it on COLETTE. He may have covered her with the white "Hilton" towel or something else but does not remember doing so (pps M-109, 110).

Next the ACCUSED went to KIMBERLY's room, noticed a lot of blood on her neck and gave mouth to mouth respiration or checked pulses on this first of two trips to her room (p M-110). He noticed air coming from her chest and then went across the hall to KRISTEN's room. He checked her pulse and also gave mouth to mouth with the same results. Following this he went into the hallway, felt his head, noticed some blood on his hands and that his chest was bubbling. He then went into the lighted bathroom to check his injuries. He noted a contusion on his left forehead and, probably because his hands were bloody, washed his hands in the bathroom sink and thinks he dried them with tissues. He then went into the EAST bedroom again, checked COLETTE for a pulse, found none, pulled the pajama top down to again look at her wounds and then dialed "0" on the telephone for the operator (pps M-41, 42). (In subsequent questioning by government counsel the ACCUSED thinks he went directly to the telephone to call and then checked COLETTE, P M-114)

He told the operator his name, that there had been stabbings, and that he needed police, MPs and doctors. The operator asked him if the address was on or off post; he replied on post and she said it's an MP matter. Thinking he was getting no assistance from the operator he dropped the phone and then, noting the back door in the utility room was open, walked over to it and looked out but saw nothing of importance.

Next the ACCUSED again went to KIMBERLY's room and then to KRISTEN's room to check the children as it was difficult for his mind to accept what his doctor's training told him was true reference their injuries and status. He then went down the hall into the kitchen, picked up the phone and heard both male and female voices. He repeated his request for assistance and heard someone say "...Make that ASAP from Womack...." (p M-122) and thinks he dropped the phone. He thinks he washed his hands again at the kitchen sink either before or after the second telephone call. His next recollection is struggling with an MP who was breathing into his

SUBSTANTIATION (Continued)

mouth in the EAST bedroom.

The ACCUSED remembers the scene in the EAST bedroom as being somewhat confused as there were several people (MPs) there, shouts and orders were heard, someone tried to reassure him that everything was okay, but when he looked at COLETTE he thinks he said "...Jesus Christ, look at my wife..." (p M-47). He remembers being questioned by several people in bits and pieces as to what happened, who did it, could he recognize the assailants, etcetera, and vaguely remembers falling off the stretcher in the hallway while being removed from the apartment.

The ACCUSED described his wounds as he observed them in the hospital noting some small puncture wounds (possibly ice pick type) which were apparently not observed or recorded by the treating physicians. Further he states that although he saw investigators and phoned GREBNER at various times from 17 February up to and including April 6 he was never asked to view any person or photographs to determine if they resembled the assailants. He states that although several rings were returned to him at his request, there are two he has still not received.

When he went to the CID office on 6 April he was under the impression that Mr GREBNER would act upon his request to release some of his furniture from 544 Castle Drive. He was confused when MR GREBNER proceeded to read his rights against self incrimination and when MESSRS GREBNER, IVORY and SHAW began to question him with a desk light shining in his face. He states that previously he, "...had never sat down with anyone and gone over the chronology, sequence of events or the full story of what had happened..." (p M-65), but that, on the contrary, he had been trying to forget what had happened that night. They told him, "...they felt that I had committed the crime..." (p M-70).

The ACCUSED then related how his attorneys finally, after several previous attempts, convinced him that he should have an artist attempt to draw an approximation of the assailants as he remembered them on 17 February. This was accomplished during two week recess in the article 32 hearing. Of the four drawings (Exhibit A-31, female; Exhibit A-36, man with mustache; Exhibit A-40, man without mustache; and Exhibit A-41, Negro) his recollection is best of the Negro and the white male with the mustache. At this time he also identified Exhibit A-42 (white floppy hat) as being similar to the one the female assailant wore on 17 February.

The ACCUSED related how KRISTEN had been awakening each night for a month or so and would frequently get into bed with her parents or with her sister. As a result sometimes one of the parents would move into KRISTEN's bed or onto the living room couch or KIMBERLY would move to

SUBSTANTIATION (Continued)

KRISTEN's bed. The ACCUSED thought KRISTEN should be returned to her own bed but COLETTE didn't mind moving or giving KRISTEN a bottle if that was what she wanted. The ACCUSED did not consider this an unusual situation as it had occurred with KIMBERLY when COLETTE was pregnant with KRISTEN.

When asked did the situation "...cause any particular stress or strain between your wife, what KRISTY was doing?...", the ACCUSED said "...absolutely not...." (p M-23). He also stated, "...you know your own family would never believe your word as a physician - and she said she would bring it up with her professor at the University...." (p M-23). When asked if he objected, the ACCUSED stated. "...Absolutely not, because I knew he was going to say what I said...." (p M-23).

Further questioning revealed that the ACCUSED loved his wife more than anything in the world, did not consider his children to be more important than his wife, does not think his wife was capable of murdering the children and that he devoted the additional time his Army service afforded him equally to his wife and children (p M-72). Upon cross examination by government counsel he admitted to sexual contact with a WAC in Texas in December 1969 and very, very infrequently during his marriage. He further stated that these events did not affect his relationship with his wife and that he did not tell her about them (p M-131).

He stated that when treating drug addicts in the hospital they would frequently threaten him, as a common bad drug reaction is acute paranoia. On two separate occasions in early January, 1970, he informed a commanding officer and a First Sergeant that he had treated drug abusers from their commands. He denies ever previously seeing the two paring knives or the ice pick which were introduced into evidence and feels certain they did not come from his residence (p M-139).

In answer to questions by the Investigating Officer he stated that he has no idea whose hair was on the hair brush found by COLETTE's body, does not know why small pieces of surgical gloves were found in the top sheet from the EAST bedroom, remembers crying silent tears while going around to the various bedrooms, did not pull the covers from the bed in the EAST bedroom, has the impression the hands of some assailants he grabbed were covered with heavier than surgical rubber gloves, does not remember checking the utility room rear entrance door to see if it was locked (assuming he used the small bath to brush his teeth), did not hear any furniture overturned during the struggle and, when asked, "...did you murder COLETTE and your children?..." replied, "No, sir." (p M-160). (pps M-1 through M-160 and 1650-1654)."

SUBSTANTIATION (Continued)JEFFREY MACDONALD'S STATEMENT TO "NEWSDAY"

During July 1970 and before his testimony before the Article 32 Hearing, Jeffrey MacDONALD submitted to an interview by Mr John CUMMINGS, a reporter for the daily newspaper, Newsday, published in Long Island, New York. In the subsequent article by CUMMINGS, Jeffrey MacDONALD furnished generally the same information as in previously reported interviews. (EXHIBIT "N-5")

JEFFREY MACDONALD'S INTERVIEW ON NATIONAL TELEVISION - CBS

A transcript of the Walter CRONKITE, CBS NEWS, television presentation for 11 Dec 70 was obtained and during this particular program, Jeffrey MacDONALD was interviewed by CBS Newscaster Bob SCHEFFER. During the interview Jeffrey MacDONALD complained of the handling of the investigation into the murders of his wife and children by CID and detailed certain investigative errors that he attributes to CID. (EXHIBIT "O-5")

JEFFREY MACDONALD'S INTERVIEW ON THE DICK CAVETT TELEVISION SHOW

A transcript of an interview of Jeffrey MacDONALD by television personality Dick CAVETT was obtained and it covers his interview on that nationally televised show on 15 Dec 70. During the interview Jeffrey MacDONALD again related certain of the activities at his residence on the evening of 16-17 Feb 70 and again dealt with errors of omission and commission that he attributes to investigators of CID during their conduct of the investigation. (EXHIBIT "P-5")

JEFFREY MACDONALD'S INTERVIEWS WITH CID - 1971

On 19 Feb and 20 Mar 71, Jeffrey MacDONALD was again interviewed by representatives of CID in Philadelphia, PA in the presence of his legal counsel Bernard L. SEGAL. Transcripts of the interviews were obtained and in essence he again denied participation in the murders. He was allowed to view photographs of those persons identified as possible suspects, to include all those suspects, mentioned in this report and he could not identify any of his assailants from the photographs he viewed. (EXHIBIT "Q-5" and "R-5")

Criminal Investigator BENNETT in another written statement advised that after the last interview of Jeffrey MacDONALD on 20 Mar 70, certain requests for investigative assistance were made of Jeffrey MacDONALD through his legal counsel. These requests were to be answered by correspondence at a subsequent date and are identified through attached letters. (EXHIBIT "S-5")

SUBSTANTIATION (Continued)

The specific requests dealt with additional hair samples from Jeffrey MacDONALD and certain of his family members, release of notes in the possession of Jeffrey MacDONALD, to CID, a review of certain psychiatric test results concerning Jeffrey MacDONALD and other related investigative requests. (EXHIBIT "T-5")

By letter of 20 May 71, Jeffrey MacDONALD's designated legal counsel, Bernard SEGAL advised that the requests submitted by CID would not be acted on because, "When we see some positive steps toward apprehending the real killers we will gladly reconsider your request for help from the MacDONALD family. Pending that action all other matters will be held in abeyance." (EXHIBIT "U-5")

BACKGROUND INVESTIGATION

A copy of a favorable background investigation conducted regarding Jeffrey MacDONALD was obtained. The investigation was conducted by the US Army Intelligence Command (USAINTC). (EXHIBIT "V-5")

During the CID investigation, statements were received from the following individuals covering interviews of friends and/or former neighbors and acquaintances of Jeffrey and/or Colette MacDONALD. These documents all reflect favorable comments regarding the stable marriage of Jeffrey MacDONALD and the fact that the interviewee knew of no unfavorable information regarding the MacDONALDs:

Investigator Gregory W. HARROP (EXHIBIT "W-5")  
 Criminal Investigator Charles T. HAGGERTY (EXHIBIT "X-5")  
 Criminal Investigator Daniel H. HOWARD (EXHIBIT "Y-5")  
 Criminal Investigator Lonny R. HARDIN (EXHIBIT "Z-5")  
 Mrs Laura R. HARNEL, former acquaintance (EXHIBIT "A-6")  
 LT James C. FINDEISS, former classmate (EXHIBIT "B-6")  
 Criminal Investigator John M. CLARK (EXHIBIT "C-6")  
 Criminal Investigator Roger W. SCHAEFER (EXHIBIT "D-6")  
 Criminal Investigator Bruce H. SLATER (EXHIBIT "E-6")  
 Criminal Investigator Ramon M. SEDA (EXHIBIT "F-6")  
 Criminal Investigator Edward M. AYERS (EXHIBIT "G-6")  
 Criminal Investigator John F. ANDERSON (EXHIBIT "H-6")  
 Criminal Investigator Billy H. BASS (EXHIBIT "I-6")  
 Criminal Investigator Robert A. DARBY (EXHIBIT "J-6")  
 Mr Dudley T. WARNER, personal friend (EXHIBIT "K-6")  
 Mrs Deirdre E. WARNER, personal friend (EXHIBIT "L-6")  
 Criminal Investigator Wolfgang (NMN) VINSKEY (EXHIBIT "M-6")  
 Criminal Investigator Salvatore (NMN) VERINI (EXHIBIT "N-6")  
 Mr William J. WIGERT, JR, former classmate (EXHIBIT "O-6")

SUBSTANTIATION (Continued)

Criminal Investigator Mark T. WURGESS (EXHIBIT "P-6")  
 CPT William E. LEGAT, acquaintance (EXHIBIT "Q-6")

A transcript of an interview held with Mrs Vivian STEVENSON, sister-in-law of Colette MacDONALD was obtained. During the interview, Mrs STEVENSON set forth her observations of what she considered to be a stable marriage between Jeffrey and Colette MacDONALD. She knew of no major problems between the two. (EXHIBIT "R-6")

An additional transcript of a joint interview conducted with Mrs STEVENSON and her husband Robert STEVENSON, brother of Colette MacDONALD, was also obtained. (EXHIBIT "S-6")

Mrs June REICH, a former acquaintance of Colette MacDONALD, during a transcribed interview, advised she thought that the marriage of Jeffrey and Colette MacDONALD was stable. She related that the only time she knew Jeffrey MacDONALD to strike Colette, was during some argument they had while in the REICH home when the couple were teenagers. She could not recall what the problem was and just recalled that Jeffrey slapped Colette in the face and she cried. (EXHIBIT "T-6")

Criminal Investigator Robert L. COLOMBO, furnished a written statement detailing his interview of Jeffrey MacDONALD's sister, Mrs Judy M. ALVEY (nee: Judy MacDONALD). She felt that her brother and Colette MacDONALD had a good marriage and she described her brother as a "perfectionist" and this attitude by him around their house would cause some arguments between him and his wife, Colette. When asked whether she thought her brother Jeffrey was capable of killing anyone, she hesitated and after some thought responded that although she does not believe he did kill his family she felt he was capable of killing if he were provoked. (EXHIBIT "U-6")

Mrs Josephine R. KINGSTON and her daughter Miss Leslie M. KINGSTON furnished written statements regarding their association with Jeffrey and Colette MacDONALD at Ft Bragg, NC. Both identified the MacDONALD marriage as exceptionally good and were of the opinion that Jeffrey MacDONALD did not murder his wife and children. In addition, Mrs KINGSTON identified a card she mailed from Hawaii to Jeffrey MacDONALD's military office on 14 Feb 70 and stated it was just a friendship card and there was no romantic connection between her and Jeffrey MacDONALD. The card was a greeting type card with a design that consisted of kiss imprints over the entire card and it was signed "Love Jo." (EXHIBITS "V-6", "W-6" and "X-6")

SSG Sherriedale (NMI) MORGAN, coach of the Ft Bragg Boxing Team, when Jeffrey MacDONALD was associated with that team, furnished a

SUBSTANTIATION (Continued)

written statement regarding his association with Jeffrey MacDONALD. He stated that there was never any information given to Jeffrey MacDONALD that the team would be going to Russia for matches and he does not know how Jeffrey MacDONALD obtained such information. (EXHIBIT "Y-6")

(7)(C) \_\_\_\_\_, former WAC and an acquaintance of Jeffrey MacDONALD, executed a written statement to the effect that she shared a motel room in San Antonio, TX with Jeffrey MacDONALD on 6 Dec 69. She said that she met Jeffrey MacDONALD at the PX of Ft Sam Houston, TX and during an ensuing conversation he asked her if she wanted a date and she agreed.

(7)(C)

\_\_\_\_\_ also said that while at the motel a party took place and most of the attendees were military people from Special Forces and WACs. She identified a friend of Jeffrey MacDONALD's at the motel on the same evening as a Captain PROBST. (EXHIBIT "Z-6")

In a subsequent written statement (7)(C) advised that while in the motel room with Jeffrey MacDONALD they did not have sexual intercourse because she was ill with the cold.

(EXHIBIT "A-7")

PFC Ruth E. GIRE, a WAC who also attended the party at the motel on 6 Dec 69 furnished a written statement regarding her observation of Jeffrey MacDONALD in the company of (7)(C) at the party. She said that (7)(C) spent the night with Jeffrey MacDONALD. (EXHIBIT "B-7")

(7)(C) \_\_\_\_\_ former WAC who was also in attendance at the motel party in early Dec 69 furnished a written statement. She said that at one point she visited Jeffrey MacDONALD's room in order to get "his bottle." (7)(C) recalled that he wanted her to stay in the room for awhile after locating the bottle but she preferred to leave. She had no other contact with Jeffrey MacDONALD (EXHIBIT "C-7")

MSG George W. HOWELL, an acquaintance of Jeffrey MacDONALD's through the trips made by members of Special Forces of Ft Bragg to Ft Sam Houston in 1969, was interviewed and a transcript of the recorded interview was obtained. HOWELL recalled one specific instance in late 69 when he was in the company of CPT (Dr) PROBST and Jeffrey MacDONALD and stated that a party took place and that the parties were usually called "jump parties"

SUBSTANTIATION (Continued)

because the reason for the presence of the Ft Bragg personnel in the area was for parachute jumps. HOWELL furnished a detailed account of one particular weekend he spent in the company of PROBST and Jeffrey MacDONALD and advised that Jeffrey MacDONALD's date was a female named (7)(C) but he could furnish no other information regarding her identity. He stated that he does not know whether Jeffrey MacDONALD and (7)(C) spent the night together and he opined that a Sergeant "Acie" TURNER may have more information on the identity of (7)(C) (EXHIBIT "D-7")

SSG Keith A. TURNER, acquaintance of HOWELL, in a written statement advised that he was not known by the name "ACIE" and he does not know Jeffrey MacDONALD or a girl named (7)(C) that frequented the jump parties. TURNER said he did attend parties while in the San Antonio area when he visited there with personnel from Ft Bragg. (EXHIBIT "E-7")

Dr Charles E. PROBST, JR, formerly assigned to Ft Bragg and a friend of Jeffrey MacDONALD executed a written statement regarding their association.

PROBST advised he and Jeffrey MacDONALD first met while both were attending the basic Army Medical School at Ft Sam Houston, San Antonio, TX in July 69; that after this training they both were assigned to Ft Benning, GA in Aug 69 where they attended parachute jump school until Sep 69. PROBST was also assigned to Ft Bragg and their association continued and PROBST visited the MacDONALD residence and knew Jeffrey MacDONALD's wife and children.

PROBST described Jeffrey MacDONALD as a devoted father and felt that he and his wife were very much in love. PROBST related that he knew of no particular problems that Jeffrey and Colette MacDONALD had in their marriage and in fact commented that he envied the stability of their marriage.

According to PROBST, although Jeffrey MacDONALD was involved in extra-marital relationships during the period PROBST knew him, he still felt that Jeffrey MacDONALD had a good family life and loved his wife and children. PROBST also said he never observed anything in the behavior of Colette MacDONALD to indicate that she may have been aware of the extra-marital activities of Jeffrey MacDONALD.

In describing Jeffrey MacDONALD's extra-marital activities, PROBST said that Jeffrey MacDONALD indicated in several ways during conversations with PROBST that he didn't want his wife to know about his extra-marital affairs; that this included not giving his home address to any of the girls involved. PROBST related an incident wherein Jeffrey MacDONALD was going to furnish PROBST with the name and address of a female identified as a good "prospect for sexual intercourse", but

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~~CONFIDENTIAL - EYES ONLY~~

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SUBSTANTIATION (Continued)

Jeffrey MacDONALD indicated he threw the address away because he didn't want his wife to find it. PROBST advised that his knowledge of extra-marital affairs on the part of Jeffrey MacDONALD was based only on their association in San Antonio and he knew of no such activities at other places on the part of Jeffrey MacDONALD.

From observation and conversations he has had with Jeffrey MacDONALD, PROBST stated he presumed that he had sexual intercourse with the following females:

An Army nurse attending school at Ft Sam Houston during the same time as PROBST and Jeffrey MacDONALD. Jeffrey MacDONALD claimed he had sexual intercourse with her but PROBST could not recall her name.

An airline hostess, (7)(C) (subsequently identified through investigation as (7)(C) former American Airlines Stewardess). Jeffrey MacDONALD told PROBST that he had had an affair with her.

PROBST recalled the weekend at the Westerner Motel, San Antonio when Jeffrey MacDONALD was in the company of (7)(C) and stated that Jeffrey MacDONALD claimed he had sexual intercourse with (7)(C)

PROBST does not recall Jeffrey MacDONALD attending one of the "jump" parties in the company of a girl named (7)(C) although he did recall the party described by HOWELL but was of the opinion that Jeffrey MacDONALD was not at that particular party. (EXHIBIT "F-7")

In an Investigator's Statement, KEARNS set forth additional information regarding the interview of PROBST which clarifies certain identifications PROBST made of female acquaintances of Jeffrey MacDONALD in San Antonio. These statements generally identify the females as (7)(C), the Army nurse and two (2) additional stewardesses from American Airlines. (EXHIBIT "G-7")

KEARNS also related in an Investigator's Statement information received from a former acquaintance of Jeffrey MacDONALD, Doctor (CPT) Smith F. HOGSETT. HOGSETT advised that he met Jeffrey MacDONALD at the Army medical course at Ft Sam Houston in Jul 69. HOGSETT recalled that Jeffrey MacDONALD dated one Army nurse while attending the school but HOGSETT could not recall her identity. HOGSETT stated that Jeffrey MacDONALD and (7)(C) spent a lot of time together and after Jeffrey MacDONALD left the San Antonio area he had a conversation with (7)(C) wherein she expressed sadness because of his departure. (EXHIBIT "H-7")

Doctor (MAJ) Richard O. SUTTON, a former acquaintance of Jeffrey MacDONALD, executed a written statement regarding his association with Jeffrey MacDONALD while assigned to Ft Bragg in 1969 and 1970. He knew of no extra-marital affairs on the part of Jeffrey or Colette

SUBSTANTIATION (Continued)

MacDONALD but did hear an unsubstantiated rumor to the effect that while at Ft Bragg. Jeffrey MacDONALD was "involved" with "some Colonel's daughter".

(EXHIBIT "I-7")

(7)(C) Army Nurse and former acquaintance of Jeffrey MacDONALD while he was at Ft Sam Houston in 1969, furnished a written statement regarding her association with him. She advised that she never engaged in sexual intercourse with Jeffrey MacDONALD; that she knew he was married and that Colette MacDONALD supposedly visited her husband at the Sheraton Motel during Jul or Aug 69 because she recalled a conversation with Doctor HOGSETT, Jeffrey MacDONALD's roommate at the time, HOGSETT told her he needed to sleep in another person's motel room so that Colette MacDONALD could visit with her husband.

She recalled that Jeffrey MacDONALD, during the period of their association, was dating a "tall attractive platinum blond" stewardess. She suspected that Jeffrey MacDONALD had sexual intercourse with the "blond" because she frequently saw them together.

(7)(C) said that in a conversation she had with Jeffrey MacDONALD he said that his older daughter (Kimberly) had enuresis (bed wetting) and he hoped that his younger child (Kristen) didn't also have the problem. (EXHIBIT "J-7")

Criminal Investigator Myron R. PICKERING, in an Investigator's Statement, related information concerning investigation which led to the identity of certain females suspected of having been involved in "affairs" with Jeffrey MacDONALD in the San Antonio area. PICKERING advised that none of the females interviewed stated that they engaged in sexual intercourse with Jeffrey MacDONALD although several did state that they knew him and dated him on occasion. The following females interviewed furnished information regarding their association with Jeffrey MacDONALD:

(7)(C) advised that she dated Jeffrey MacDONALD on a "steady" basis whenever her stewardess job with American Airlines caused a stop-over in San Antonio. She said she never engaged in sexual intercourse with Jeffrey MacDONALD but they did engage in "mutual back rubbing" and kissing. She said she did not engage in sexual intercourse with Jeffrey MacDONALD because he had the reputation of "jumping in the sack" with any girl he could and after he slept with a girl one time he never dated her again. She said she did not know that Jeffrey MacDONALD was married and in fact, he told her that he was divorced. (7)(C) recalled that Jeffrey MacDONALD also dated (7)(C) (7)(C) stated she was also a registered nurse and when her airline job took her to New York City for stop-overs she

SUBSTANTIATION (Continued)

frequently would work at Columbia Presbyterian Hospital where Jeffrey MacDONALD had accomplished his internship. She was not acquainted with him during that period but learned of his reputation while at the hospital and it was to the effect that he was a "ladies man". She had no information to substantiate this latter statement.

In his statement, PICKERING also set forth details of an interview he had with Mr Kenneth DEPASQUALE former manager of the Sheraton Motel, San Antonio and acquaintance of Jeffrey MacDONALD during the period Jul-Aug 69. DEPASQUALE advised that he did make the acquaintance of Jeffrey MacDONALD during the period mentioned and they frequently "partied" together; that he (DEPASQUALE) is an admitted "swinger" and that basically, the only thing he and Jeffrey MacDONALD ever talked about was girls. He further stated that he is of the opinion that Jeffrey MacDONALD engaged in sexual intercourse with (1)(c) and a tall blond stewardess from American Airlines but he could not recall the latter girl's name. (EXHIBIT "K-7")

Criminal Investigator BENNETT, in a written statement, set forth his interviews with former acquaintances of Jeffrey MacDONALD, to include (1)(c) and Mr and Mrs Kenneth R. GATES.

According to BENNETT, (1)(c) claimed she had about five dates with Jeffrey MacDONALD while in San Antonio and she never engaged in sexual intercourse with him. She said that she did engage in petting with him but nothing else. She knew that Jeffrey MacDONALD had dated (1)(c) and (1)(c) advised that Jeffrey MacDONALD had identified himself as being divorced with one child.

Kenneth and Elise GATES, former acquaintances of Jeffrey MacDONALD in the San Antonio area, also set forth their recollection of Jeffrey MacDONALD in BENNETT's statement. Both stated that (1)(c) really "chased" after Jeffrey MacDONALD and he most probably slept with her. (EXHIBIT "L-7")

(1)(c) former acquaintance of Jeffrey MacDONALD while he was at Ft Bragg in Sep-Dec 70 while awaiting the results of the Article 32 Hearing, was interviewed and her comments are set forth in an Investigator's Statement of KEARNS. She stated substantially as follows:

(1)(c) first met Jeffrey MacDONALD in Aug, Sep or Oct 70 while he was still restricted to his guarded BOQ room. She was a clerk in the same BOQ wherein Jeffrey MacDONALD resided. She said she engaged in acts of sexual intercourse with him in the BOQ "as frequently as possible". She said the acts always took place in Jeffrey MacDONALD's BOQ room and they occurred at lunch time and in the evening hours. She also said she was never refused entry to the room by guarding military police nor was she on the access list of his approved visitors. She advised that she did not know Jeffrey MacDONALD prior to the murders. (1)(c) advised

SUBSTANTIATION (Continued)

that Jeffrey MacDONALD left the Ft Bragg area in Dec 70 after his discharge from the Army and she has not seen him since but did receive one innocuous letter from him. (EXHIBIT "M-7")

KEARNS furnished two additional Investigator's Statements and a Memorandum For Record which all contain, in the main, information received from, and contacts with, Mr & Mrs Alfred KASSAB, step-father and mother-in-law of Jeffrey MacDONALD. The information is summarized as follows:

KASSAB furnished certain letters written to him by Jeffrey MacDONALD wherein Jeffrey MacDONALD mentions or alludes to the fact that he took part in the murder of one of the alleged intruders to the MacDONALD residence; this murder allegedly took place in Fayetteville, NC, in November 1970. The letters also contain information to the effect Jeffrey MacDONALD is actively engaged in the pursuit of the murderers. KASSAB advised he believes the statements of Jeffrey MacDONALD to be lies.

KASSAB furnished a copy of the text of a letter he sent to Jeffrey MacDONALD in Nov 71, wherein he generally chastized Jeffrey MacDONALD for not keeping contact with the KASSABs. He explained that in Jul 71 Jeffrey MacDONALD traveled to California where he is now employed and although he has returned to the east coast on occasion he has made no effort to contact his in-laws.

Colette MacDONALD's brother, Robert STEVENSON and his wife Vivian, advised the KASSABs and later CID that they had learned from neighbors that a (T)(C) had lived with Jeffrey MacDONALD in New York City and California during the summer and fall of 1971 but they did not know if she had any association with Jeffrey MacDONALD prior to the murders.

KASSAB advised that on 13 Feb 72 he was visited by Jeffrey MacDONALD's mother, Dorothy (Perry) MacDONALD; that he told her of his lack of contact with Jeffrey MacDONALD and that he couldn't understand why she declined to cooperate with CID in furnishing hair samples and fingerprint cards. KASSAB further advised he told her that he didn't believe Jeffrey MacDONALD's story as furnished to CID and at the Article 32 Hearing and that in his opinion, Jeffrey MacDONALD lied throughout his rendition of the events; that he lied not necessarily because he murdered his wife and children but for the fact that he didn't protect his family and had to maintain his manly image. He said he also told Mrs Dorothy MacDONALD about the fact that Jeffrey MacDONALD claims he murdered one of the alleged intruders to the residence. (EXHIBITS "N-7", "O-7", "P-7", "Q-7", "R-7", and "S-7")

Criminal Investigator William C. WARD, in a written statement set forth details of his investigative activity surrounding the most current activities of Jeffrey MacDONALD. (EXHIBIT "T-7")

SUBSTANTIATION (Continued)

LTC Saunder WEINSTEIN in a Memorandum For The Commander, USACIDC, sets forth a narrative account of the briefing furnished to representatives of the US Department of Justice on 18 Feb 72 regarding the status of the MacDONALD investigation. (EXHIBIT "U-7")