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RE: Ohio v. Jeffrey Wogenstahl, Case No. B 926287

ADDENDUM

On 13 September and 27 September 2024, I was contacted and requested to review additional reports and examination notes some of which were not previously provided to me. I was requested to provide an additional evaluation concerning the crime scene investigations and evidence collection in regards to the aforementioned matter.

Materials Provided (by email 9/13/24):

- FBI documents including laboratory reports and handwritten examination notes concerning trace evidence and serology examinations; Harrison Police Department property reports (copy of previously reviewed material); copy of a court order requiring hair samples from Jeffery A. Wogenstahl.

Materials Provided (by email 9/27/24):

- Indiana State Police reports (42-10098) related to the investigation of the disappearance and recovery of the remains of Amber Garrett, authored by Michael R Kreinhop, Kenneth J. Greves, and E. L. Lewis. The documents also included a previously reviewed evidence collection report.

Observations/Conclusions:

The following observations and conclusions are based on a review and evaluation of the above-cited materials:

1. The above cited material received on 9/13/24, is related to Observation/Conclusion 5 in the report dated 25 July 2024 and provides additional material in support of the conclusion that the contention the victim was killed in Wogenstahl's Oldsmobile Omega is not supported by the evidence. The FBI laboratory examined the carpet removed from the 1978 Oldsmobile Omega (Q111) and the rear floor mats (Q112-Q113) for the presence of blood, on both front and back and no blood was found. It was also noted that a large amount of sandy dirt came out of the carpet (Q111) during the exam which is an indication there was no extensive cleanup of at least that area of the carpet. The report also notes the presence of a few dark stains on the front and back of Q112. Again, an indication of a lack of extensive cleanup prior to the search. It should be noted that the Oldsmobile Omega that was searched is also referenced as a 1986 Oldsmobile Omega in some previously provided reports. It is believed to be an error on the report and not a second vehicle since the license plate is listed as CKC913 regardless of the year of manufacture written in the report.
2. The above cited material received on 9/27/24, is related to Observation/Conclusion 1 in the report dated 25 July 2024, concerning the procedures used by individuals investigating the location victim's body located in Indiana. The new material provides additional information about a report generated by Indiana State Police (ISP) concerning the investigation including the search of the victim's recovery location and collection of evidence. Listed in the report is a claim that photographs were taken of at least one particular item (Bud Light beer can) collected as evidence from the recovery location, however, no photographs of this item or any other items collected were provided for review. A report written by Sgt Kenneth J. Greves, dated 12-2-91, reads that he took photographs from Mr. Borgman's front bedroom window, trying to see what Mr. Borgman reported he reported to have seen from the window which was a vehicle stopped on the side of the road near the area the victim was located. However, no photographs were provided for review. A report written by Sgt Edward Lewis, dated 12-12-91, reads all pictures and negatives were turned over to Det. Ed Bettinger of the Harrison Police Department on 12-12-91. Investigators made an effort to preserve two possible suspected ingress and/or egress paths used to transport victim's body to the final resting site and then exit that location. These paths were "checked very closely for hair, fiber and any other evidence that may be there" and then again after the victim's body was removed. Methods of searching or dimensions of the search area were not listed in the report. The report reads items of possible evidence were collected, however, other than the beer can, no detailed inventory of items collected at the recovery location were observed in the ISP reports. A handwritten list of items released by ISP to Harrison Police Department was observed in previous material provided which included a "beer can" and "'Budweiser" beer can". A report written by Sgt E. L. Lewis,

dated 12-9-91, references a sketch of the location; however, no sketch was provided for review. A sketch should provide specific measurements of the location of victim's body, the suspected entry and egress paths, paths used by investigators, and the items collected as evidence. This would provide a mechanism for further review and analysis of the location.

3. The above cited material received on 9/27/24, is related to Observation/Conclusion 8 in the report dated 25 July 2024, concerning the procedures used by individuals investigating victim's body located in Indiana. The information provides a more detailed report of the search of the location victim's body was located. However, several items are still missing for a complete analysis of the crime scene investigation, specifically an evidence log of all items collected by ISP (to include a specific location of collection), all photographs and the sketch.

This report is based solely upon the information made available to me at this time and may be changed or modified with the discovery or submittal of new information.

Respectfully submitted,

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Reviewed by Paul E. Kish on 10/07/2024