

April 3, 2013

Board of Parole and Post-Prison Supervision  
2575 Center St. NE, Ste 100  
Salem, OR 97301-4621

**Re: Sydney Dean Porter, SID 7430532**

Dear Parole Board Members:

We write to request reconsideration and rehearing in regard to the Board's recent decision to parole Sydney Dean Porter. We do not believe the decision of the Board to be in the interest of justice, or to be properly founded on the evidence before the board. The following analysis by Grant County District Attorney Ryan Joslin reinforces our concern and we join him in requesting reconsideration of the Board's parole decision. Here is DA Joslin's analysis:

*Upon a recent request, I was provided with and reviewed a copy of Mr. Porter's Psychological Evaluation, performed by H.F. Sheldon, Ph.D. on November 30, 2012. After review of that examination, I am deeply troubled by the Board's decision to Parole Mr. Porter. I trust you are aware of the underlying facts of the case, but to better place in context the statements of Mr. Porter made during the psychological evaluation, I will summarize the most pertinent facts of the case.*

*A neighbor called 911 to report a domestic disturbance at the Porter residence. Mr. Porter's victim, Officer Frank Ward, was the first to respond. He was wearing his official police uniform. When Officer Ward arrived at the residence, the neighbor saw and heard Officer Ward knock on the door and announce himself as a police officer. As Officer Ward arrived, Porter was in the process of assaulting his wife. Officer Ward entered the residence and witnessed the assault taking place. The same neighbor heard Officer Ward again announce himself as a police officer and command Mr. Porter to "get off of her." Mr. Porter then attacked Officer Ward, repeatedly beating Officer Ward with his fists and then a piece of firewood. Officer Ward died a short time later as a result of Mr. Porter's assault.*

*During the psychological evaluation, Mr. Porter offered a variety of excuses for his actions, claiming in essence that he was protecting his family, and that his "only intention was to get this 'strange' man out of his house." Conceding that eventually he recognized that Officer Ward was in uniform, he justified his actions by suggesting that any person could have posed as a police officer. During the evaluation Mr. Porter failed to demonstrate any amount of remorse.*

*After noting that testing of Mr. Porter demonstrated he presented a "moderate" to "high" risk for future violent behavior, and making an Axis II diagnosis of "Antisocial Personality Disorder," Dr. Sheldon stated that, "I can only judge him to be a poor risk for parole at this time." The doctor further stated that, "I consider his prognosis to be guarded."*

*Given Mr. Porter's history of violent behavior predating the current crime, his inexcusably heinous actions in the present case, his failure to demonstrate any responsibility for those actions and his complete lack of remorse regarding the same, and the findings and conclusions of the evaluating psychologist, Mr. Porter seems to present the classic example of a person who ought not to be released on parole. Specifically, it does not appear that he can or will be rehabilitated with a reasonable period of time. Furthermore, it appears abundantly clear that the emotional disturbance from which he continues to suffer is severe enough that he continues to constitute a danger to the health and safety of the community to which he would return if paroled.*

For the above reasons, we, the undersigned law enforcement entities, respectfully petition the Board for rehearing and reconsideration of this matter.

Sincerely yours,



Ryan S. Joslin  
Grant County District Attorney



Timothy J. Colahan  
Harney County District Attorney  
President, Oregon District Attorneys Association



Kenneth D. Johnson  
Chief of Police, City of Fairview  
President, Oregon Association of Chiefs of Police



Jason Myers  
Marion County Sheriff  
President, Oregon State Sheriffs Association

IN AND FOR THE COUNTY OF GRANT

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DISTRICT ATTORNEY  
GRANT COUNTY COURTHOUSE  
CANYON CITY, OR. 97820  
PHONE 575-0146

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1 a.m. I arrived at the scene. The first person I contacted at the  
2 scene was Deputy Ken Filbert of the Grant County Sheriff's  
3 Department. He advised me that Officer Frank Ward of the John  
4 Day City Police had responded to a family disturbance located at  
5 that location. I have a copy of the John Day Police Department  
6 Dispatch Radio Log attached hereto and herein incorporated by  
7 reference as Appendix "A". Also, I have talked to Charles C.  
8 London Jr. who is a certified corrections deputy with the Grant  
9 County Sheriff's Department who also had heard the events  
10 disclosed in the above-referenced radio log. In addition to the  
11 information set forth in the radio log, Appendix "A",  
12 (specifically the time frame of 0019 and following) I have talked  
13 with Charles C. London Jr. regarding what he heard while he was  
14 monitoring the conversations between Officer Ward and dispatch,  
15 while Officer London was at the Grant County Jail.

16 That, Officer London stated that he heard Officer Ward go  
17 out at 603 Brent at approximately 12:24 a.m.. Approximately one  
18 (1) minute later Officer Ward called for backup, saying, "I can  
19 hear what sounds like a woman in distress but I can't get anyone  
20 to answer the door". A minute or two later Officer London heard  
21 a very weak radio call that sounded like Officer Ward was again  
22 requesting backup. A minute or less after that Officer London  
23 heard another weak call with an urgent tone but (London) could  
24 not make it out. At this point Officer London told Deputy  
25 Kennedy to call dispatch and tell them he was responding. As  
26 soon as Officer London was on the road he radioed dispatch

1 requesting directions as he was not sure of the location of Brent  
2 Street. At approximately 12:30 a.m. Officer London arrived at  
3 the location of Officer Ward's patrol car. Officer London  
4 immediately notified dispatch that he was at the scene. Officer  
5 London stated he was the first person at the scene and when he  
6 exited his vehicle and started toward 603 Brent St., he saw a  
7 subject known to him as Sidney Dean Porter approaching him. Mr.  
8 Porter asked Officer London who he was (Officer London was in  
9 uniform). Officer London told Mr. Porter he was a Police Officer  
10 and asked Mr. Porter, "Where is the other officer?". Mr. Porter  
11 told Officer London to get him a glass of water. Officer London  
12 approached the front door of the residence at 603 Brent St.. Mr.  
13 Porter got there first and refused to let Officer London approach  
14 the door. Officer London told him he needed to get by him to  
15 check on the other officer. Mr. Porter said, "You need to get me  
16 a glass of water, right now". Officer London told Mr. Porter,  
17 "I'm sorry I need to check on the other officer". Mr. Porter  
18 then said, "If you don't get me a glass of water, you're going to  
19 be just like that asshole on the floor". Officer London tried to  
20 push Mr. Porter to the side. At this point Mr. Porter braced  
21 himself and cocked his right fist. Officer London stepped back,  
22 spotted movement out of the corner of his eye, turned and saw  
23 Officer Richard Tirico of the John Day Police Department and  
24 Officer Steve McGuire, Corrections Deputy with the Grant County  
25 Sheriff's Department arriving. Officer London immediately called  
26 to them and told them he needed this man subdued so he could

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1 enter the house. Officer's Tirico and McGuire approached Mr.  
2 Porter at which point he moved away from the door. Officer  
3 London stepped to the doorway and immediately saw Officer Ward  
4 lying on the floor, face down with a large pool of blood around  
5 his head. Officer Ward's head was turned just enough that it was  
6 obvious he had injuries to the head. Officer London immediately  
7 called for the ambulance. At this point Officer Ken Filbert with  
8 the Grant County Sheriff's Department arrived. Later, London  
9 indicated he observed the police officer's attempting to take Mr.  
10 Porter into custody and stated that Officer's McGuire and Tirico  
11 told Mr. Porter several times to "get down on the ground now".  
12 Mr. Porter looked at them and walked away from them after each  
13 order. Officer's Tirico and McGuire sprayed Mr. Porter with Cap  
14 Stun while repeating the order to "get down on the ground". It  
15 was several seconds after the beginning of use of Cap Stun before  
16 Mr. Porter finally got down on the ground; at this time he was a  
17 couple of blocks away from his house. He was taken into custody;

18 That, I have also listened to a statement given in my  
19 presence during the formation of this affidavit from Officer  
20 Glenn Palmer, John Day City Police. Palmer indicated to me that  
21 he arrived at the scene within five (5) minutes of the ambulance  
22 tone out (alert for ambulance crew). When Palmer arrived at the  
23 scene he walked with Officer's Tirico and McGuire from 6th Street  
24 to the front of the Porter residence. Palmer observed Mr. Porter  
25 and noticed his clothing was blood stained. Officer Tirico  
26 washed Mr. Porter's face with a garden hose to clear out the Cap

1 Stun. Officer Palmer then went to the front door of the  
2 residence and observed Officer Ward laying face down just inside  
3 the door. Palmer stepped back out on the porch and heard Mr.  
4 Porter state, "I have the right to protect my fucking property".  
5 Palmer then went in to the residence and observed EMT's  
6 administering CPR; Palmer then went outside and secured the  
7 scene;

8 That, Officer Palmer has further informed me that he has  
9 interviewed a Mark Jeffrey Crites, 611 S. Canyon Blvd, Apt F.,  
10 John Day, Oregon who told Palmer that he had called 911 at  
11 approximately 11:30 p.m. complaining about neighbors partying  
12 loud. Mr. Crites told Officer Palmer that he heard a lady across  
13 the street (Crites pointed across the street toward the Porter  
14 residence) yelling several times, "Stay away from me, I didn't do  
15 it, I didn't mean it". Then he called 911. Mr. Crites further  
16 told Officer Palmer that he (Crites) observed the police officer  
17 park at S.W. 6th and Brent St. and watched the Porter residence.  
18 The patrol car then left and Mr. Crites went to bed and in a  
19 couple minutes the Officer came to his (Crites) apartment and  
20 took a statement from Mr. Crites. Although Mr. Crites did not  
21 know the Officer, Officer Ward was the only Police Officer on  
22 duty and had in fact been dispatched to that scene. Palmer told  
23 me that in fact, as shown in the radio log, attached hereto,  
24 Officer Ward's number is 202. Mr. Crites indicated to Officer  
25 Palmer that he (Crites) told the Officer the same information  
26 that Mr. Crites gave to Palmer. Crites stated that the Police

1 Officer hesitated about going over to the subject residence and  
2 then decided to go. Crites watched out of his bedroom window and  
3 saw and heard the Officer knock on the door. The Officer  
4 announced several times, "Police". Crites left his view from the  
5 window for a second and when Crites returned the Officer was  
6 inside the house. Crites could not see the Officer but he could  
7 hear statements being made. Crites said he heard the following:  
8 "I'm a Police Officer.....Get off her". Crites heard what he  
9 described as a commotion and what sounded like wrestling inside  
10 for 10 - 15 seconds. Crites then returned to the phone and  
11 called 911 and reported Officer needed assistance. Crites  
12 indicated he did not see or hear anything further until the  
13 Officer's and ambulance arrived. Palmer indicated to me that  
14 Dave Pollentier of the Oregon State Police will get a full  
15 statement from Mr. Crites;

16 That, I, Officer Tenderella, have read the attached witness  
17 statements from Robert Kowing and Michael L. Burdick attached  
18 hereto and herein incorporated by reference as Appendixes "B" and  
19 "C". Of particular interest is the statement by Mr. Burdick,  
20 Appendix "C", wherein he heard the subject which I have  
21 identified as Sidney Dean Porter, state, "I used everything I  
22 had". Also Officer Palmer told me that he moved the piece of  
23 wood and wood box outside. The piece of wood which had  
24 previously been referred to in Robert Kowing's attached  
25 statement, Appendix "B", had a large quantity of blood on it;

26 That, also attached as Appendix "D" and incorporated herein



1 by reference, is the statement of Fireman James McCumber. This  
2 statement was taken by John Day City Police Officer Tirico. It  
3 should be noted that in this statement Mr. McCumber heard the  
4 subject which has been identified as Sidney Dean Porter state,  
5 "He came through my door and I hit him with everything I had";

6 That, I, Officer Tenderella have personally observed Sidney  
7 Dean Porter. He is between 6'03 and 6'05 and between 205 and 225  
8 pounds. He is in his late 20's to early 30's and has light brown  
9 hair. His clothing and hands were covered with blood. Both of  
10 Mr. Porter's socks were blood stained. I photographed Mr. Porter  
11 and notified the following particulars about his body. His left  
12 ring finger had a small laceration which was not bleeding. The  
13 back of his right hand was swollen and discolored with an  
14 abrasion across the fist knuckle of his little finger. The blood  
15 on his hands did not appear to have come from any of the  
16 abrasions or other injuries to his hands -- the blood was of a  
17 large quantity which completely covered his hands front and back.  
18 Also his shirt on both sleeves and the front was covered with  
19 blood, his pants from the lap and down the legs was covered with  
20 blood and both socks were blood stained with more blood being on  
21 his right sock. From my training and experience it would appear  
22 that Mr. Porter had in fact been involved in administering  
23 physical injury to the Police Officer consistent with the  
24 statements previously given to other witnesses mentioned above.  
25 Further, the blood on Porter is consistent with the physical  
26 condition of Officer Ward which I observed at the Blue Mountain

1 Hospital;

2 That, I observed Officer Ward in the emergency room of the  
3 Blue Mountain Hospital. I have previously been certified as an  
4 EMT and therefore have received the Emergency Medical Training of  
5 an EMT. Officer Ward had, what appeared to be from my training  
6 and experience, clear fluid (brain fluid) discharging from his  
7 ears, which in my experience is an indication of a skull  
8 fracture. Also, I observed extreme swelling to the lips, mouth,  
9 forehead and essentially the entire face of Officer Ward.  
10 Officer Ward's eyes were totally blackened and swollen. The  
11 medical team was unable to resuscitate Officer Ward after much  
12 CPR and electric heart shock and he died at approximately 2:10  
13 a.m. without recovering consciousness;

14 That, furthermore, the responding Officer's at the scene,  
15 previously mentioned above, have all indicated to me that Officer  
16 Ward's service weapon was missing from his holster and has  
17 not been recovered. Also extant at the scene were blood smears  
18 and spatters on the carpet, walls, furnishings and at least two  
19 sticks of firewood. These items were observed and referenced to  
20 me by Officer Palmer and the above-referenced material;

21 That, I observed Sidney Dean Porter's wife, Terri Porter in  
22 the residence. I observed a swollen upper lip which was cut and  
23 had been bleeding into her mouth. Terri Porter made a statement  
24 to Officer Palmer of the John Day City Police. Officer Palmer  
25 has told me the following regarding the relevant portions of her  
26 statement. She stated that herself, her husband Dean and Jim and

1 Debbie Burrill had been drinking Gin and Tonic over at the  
2 Burrill's. She stated that her and Dean returned home and Jim  
3 showed up and passed out on the front room floor. Terri stated  
4 that an argument ensued and Dean backhanded Terri in front of  
5 their minor child Jonna. Dean then put Jonna to bed and returned  
6 to the kitchen and once again became physical with Terri and she  
7 was yelling for help. She heard a knock at the door and "kept  
8 hollering, Come in!". Dean kept telling Terri to shut up.  
9 Officer Ward then came in the front door. Terri stated she  
10 stayed in the kitchen and Dean walked into the front room. Dean  
11 then stated, "Who told you you could come into my house?". Terri  
12 then came into the front room where Dean and Officer Ward were  
13 wrestling. Terri stated that the Officer was on the floor and  
14 Dean was placing his hands on the Officer in a manner which by  
15 her gestures indicated to Officer Palmer like he was patting him  
16 down. Terri stated that she thought Dean had taken the Police  
17 Officer's gun and gone outside. Officer Palmer further indicated  
18 to me that he, Palmer, had observed Police Officer Ward laying  
19 face down on the floor, unconscious, gasping for breath with his  
20 face in a pool of blood. Officer Ward had his Cap Stun in his  
21 left hand and his right hand was empty in front of him. Officer  
22 Palmer further observed a stick of wood laying by the stove with  
23 blood on it;

24 That, while in the residence, I, Officer Tenderella, noted  
25 the blood above-mentioned including blood spatter on the rug,  
26 walls, furnishings and on at least one tennis shoe laying on the

1 floor. From my training in blood spatter classes, I know that  
2 low, medium and high velocity blood spatters including,  
3 directionality and origin (including instrumentalities, i.e.  
4 clubs, sticks, fists, feet, etc) can be determined through  
5 examination. This homicide appears to be a bludgeoning death  
6 which will require the study of the blood patterns which often  
7 takes a great deal of time. I do not believe that five (5) days  
8 will necessarily be enough time to totally process and examine  
9 the scene and therefore request that the warrant authorize the  
10 search to be completed within ten (10) days rather than five (5).  
11 This is especially true because we only have two (2) crime lab  
12 personnel who will be principally processing the crime scene.  
13 Also, in my training and experience, I have found that often  
14 fingerprint evidence may be lifted from objects in the house or  
15 about the curtilage which may have been used as blunt instruments  
16 of trauma and walls and other services may sometimes have  
17 fingerprint evidence which may reveal information about the  
18 circumstances of the crime;

19 That, also located at the Porter residence are the following  
20 described vehicles: 1978 Pontiac, Oregon License QBZ 138  
21 (Registered Owner - Terri M. Porter), 1977 Chevrolet Pickup,  
22 Oregon License PMF 270 (Registered Owner - S. Dean & Terri M.  
23 Porter) and a 1962 Lincoln, Oregon License RZT 673 (Registered  
24 Owner - Sidney D. & Terri M. Porter);

25 That, therefore, based upon the foregoing I have cause to  
26 believe evidence relating to the injuries sustained by Officer

1 Ward at the aforementioned 603 S.W. Brent, John Day, Oregon, the  
2 home of Dean and Terri Porter, resulting in his subsequent death,  
3 relating to the crimes of "Assault" and "Murder" may be found at  
4 the above described residence; and, I request that a Warrant  
5 issue authorizing search of the residence above-described and  
6 seizure of blood samples, the pieces of wood, tennis shoes,  
7 fingerprints and other objects that are part of the scene as  
8 above-described; observation and examination of blood spatter  
9 patterns, the seizure of blood samples from the carpet, walls,  
10 furnishings and for the search and seizure of the Officer's  
11 missing service weapon, and other issued duty equipment. In that  
12 Mr. Porter, according to his wife, may have taken the Officer's  
13 weapon from the residence we also ask that the warrant authorize  
14 search of the garage and other outbuildings and the curtilage and  
15 the above-described vehicles in addition to the interior of the  
16 Porter residence located at 603 S.W. Brent for the Police  
17 Officer's weapon, possible bludgeoning instruments and seizure of  
18 same if found.

19 Dated this 8th day of April, 1992.

20   
21  
22

23 SUBSCRIBED AND SWORN to before me this 8th day of April, 1992.

24   
25 CIRCUIT COURT JUDGE  
26



OREGON STATE MEDICAL EXAMINER REPORT

BY: ROBERT HOLLAND, M.D.

COUNTY: GRANT

DATE: 04/10/92

DECEASED'S NAME: FRANKLIN WARD

AGE: 38

SEX: MALE

OCCUPATION: POLICEMAN

HOME ADDRESS: 677 WEST MAIN, JOHN DAY, OREGON

DATE & TIME OF DEATH: APRIL 8, 1992 -- 2:11 A.M.

DIED (DOA) AT: BLUE MOUNTAIN HOSPITAL

POLICE:

INFORMANT: Police/Ambulance Personnel

HISTORY OF TERMINAL EVENT:

This police officer was responding to a domestic disturbance on Brent Street in John Day. The police officer became engaged in a fight and was severely beaten about the head and face. It is unclear as to whether the police officer was struck with an object or was just beaten with an assailant's fist. There is no reported incident of gunshot sounds.

Initially, the officer responded to a neighbor's call that there was violence going on at the house that he responded to. The police officer tried to wait for backup, but apparently responded from some screams that were occurring in the house, came in through the door and then became engaged in the fighting.

The officer was down for probably fifteen minutes before the ambulance came to attend to him. After the ambulance attended the subject, he was intubated and resuscitation was attempted at the hospital, but after a couple of hours of attempting resuscitation, the subject had an agonal rhythm and agonal breathing and was declared deceased at 2:11 a.m.

BODY DESCRIPTION: Subject was six feet tall and weighed 200 pounds. Body heat was warm. He was nude. No rigor.

INJURIES: He had multiple bruises to his lips and around his neck, both on the left side and to the left frontal area. He also had a laceration at the vertex in the midline. Also two other small lacerations posteriorly. No injuries below the neck.

Cause of death is head injuries, including a fractured left posterior fossa, contrecoup bruising to both frontal and occipital lobes. He did have brain stem bruising.

BLOOD ALCOHOL: YES

TOX: YES

AUTOPSY: YES (DR. WILSON)

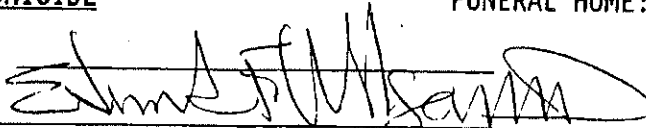
CAUSE OF DEATH: HEAD INJURIES

MANNER OF DEATH: HOMICIDE

FUNERAL HOME: DRISKILL MEMORIAL CHAPEL

PHYSICIAN'S SIGNATURE:

STATE PATHOLOGIST:



dms

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GRANT COUNTY  
FRANK WARD

AUTOPSY PERFORMED:

BY: Edward F. Wilson, M.D.  
AT: Driskill Mortuary, John Day, Oregon  
ON: Wednesday, April 8, 1992 - 11:38 a.m.

CAUSE OF DEATH: HEAD INJURIES

ANATOMIC DIAGNOSES:

I. Head injuries

A. Brain

1. Cerebral hemispheres, frontal and temporal lobes (front of brain); cortical contusions

B. Skull

1. Left occipital bone (back of skull); fracture

C. Scalp

1. Left occipital scalp over fracture; contusion
2. Left side of head from forehead to back of scalp; large uninterrupted contusion
3. Top of head; contused long laceration in coronal plane (side to side)
4. Right side of head; contused short laceration

D. Neck

1. Tissue connecting first cervical vertebra to foramen magnum of skull; loose and hemorrhagic
  - a. Brain stem and cervical spinal cord; without injury

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ANATOMIC DIAGNOSES: (contd.)

- E. Face; swollen and purple
  - 1. Nose; contused open fracture
  - 2. Eyes, lids; swollen and contused
    - a. Left eyebrow; laceration
    - b. Right eyelid; lacerations
  - 3. Lips
    - a. Upper; contusions
    - b. Lower; lacerations and contusions
  - 4. Forehead, left temple and ear, cheeks and chin; abrasions and contusions
- II. Arms, injuries
  - A. Left hand; injury absent
  - B. Left forearm and elbow; two minor abrasions
  - C. Right hand; many minor abrasions and one minor contusion
  - D. Right wrist, forearm and elbow; many minor abrasions
- III. Leg, injuries
  - A. Left kneecap; minor abrasion
- IV. Natural disease
  - A. Liver
    - 1. Fatty change, minimal (+0.5/4)
  - B. Respiratory system
    - 1. Left pleural cavity; adhesions
- V. Toxicology
  - A. Heart blood
    - 1. Ethyl alcohol: none detected
  - B. Bladder urine
    - 1. EMIT for drugs of abuse: none detected
- VI. Histology
  - A. No

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When the body is first viewed, the hands are in brown paper bags.  
Gunshot residue swabs are taken.

EXTERNAL INJURIES:

A. Head

The face which is swollen and purple is covered with dry blood which is also in the scalp hair, primarily on top and on the left side.

1. On the top of the head in the midline  $1/2$ " in front of the coronal plane through the ear canals, there is a horizontal (from side to side) laceration  $2-3/4$ " in length and down almost to the underlying bone; the edges of the laceration almost touch. There is abrasion  $1/16$ " to  $1/8$ " in width along the length of the posterior edge of the laceration. There is undermining for approximately  $1/2$ " of the posterior lip. There is very little undermining of the anterior lip. Scalp hair from around the laceration is saved. Foreign material is not seen around or in the laceration.
2. On the right side of the scalp 2" above the top of the ear, there is a nearly horizontal, curvilinear, sharp laceration  $1/2$ " in length,  $1/8$ " to  $3/16$ " in depth, with edges nearly touching. There is abrasion  $1/16$ " to  $1/4$ " in width around the lower edge. Foreign material is not seen around or in the laceration.
3. In the middle of the forehead just above the glabella, there is a patterned abraded purple contusion  $1-1/2$ " horizontally and  $1-1/8$ " vertically. The pattern consists of one open rectangular abrasion in the shape of an inverted U, measuring  $7/16$ " x  $3/8$ ". The U-shaped injury is oblique from the vertical with the open end down and to the left.

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4. On the outside of the left eye socket, there is a vertical backward C-shaped injury which consists of abrasions, contusion and a laceration. The injury measures 3-1/2" in length and 1/2" in width. The top is in the lower left forehead just above the eyebrow. The bottom of the injury is over the prominence of the cheek and it consists of three vertical, parallel abrasions somewhat stair-stepped. Each measures 3/16" to 1/4" in length by 1/16" to 1/8" in width and they are separated from one another by approximately 1/16". The laceration which is in the outer end of the eyebrow is horizontal and curvilinear with the concavity upwards. It measures 1" in length, approximately 3/16" in width and is approximately 1/8" to 3/16" in depth. Foreign material is not seen around or in the laceration.
5. The upper and lower lids of the left eye are swollen and purple. In the edematous soft tissue supporting the left eyeball, there is a 1/8" area of hemorrhage at 3:00 o'clock.
6. The nose is discolored purple. Manipulation produces crepitation indicating multiple fractures.  
In the upper portion of the purple contusion, there is a vertical laceration 1/8" x 1/16" in depth (open fracture?).  
Scattered on the tip and on the right side of the nose are approximately 10 to 15 pinpoint fresh red abrasions.
7. The upper and lower lids of the right eye are swollen and purple, more so than the left eye. In the right lower lid, there are a few very shallow horizontal lacerations in a nearly horizontal, rectangular area 3/4" x 1/4". Between this rectangular area and the nose are approximately five or six pinpoint shallow lacerations or abrasions. There is abundant hemorrhage in the edematous soft tissue surrounding the right eyeball.

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8. Both lips are injured. The upper lip is contused from corner to corner, but more prominent on the right side. In addition, there is a vertical, inverted L-shaped fresh abrasion  $1/4"$  x  $1/8"$ . In the right side of the lower lip  $1/2"$  from the midline, there is a nearly vertical laceration  $3/8"$  in length and  $1/4"$  in depth. In the left side of the lower lip, there are approximately three or four short, shallow lacerations, each approximately  $1/8"$  to  $3/16"$  in maximum dimension. Contusion of the lower lip is prominent in the right corner and just to the left of midline. The lining of the right cheek is swollen and purple while the lining of the left cheek is uninjured.
9. On the left side of the face just in back of the prominence of the cheek is a nearly vertical abraded contusion  $1-1/4"$  x  $1/2"$ .
10. In the hollow of the left cheek, there is a fresh red abrasion  $1/16"$  in maximum dimension.
11. The left ear is bruised. The antihelix is swollen and purple,  $1"$  vertically by  $1/2"$  horizontally. Behind the left ear at its junction with the scalp just above the ear lobe is a vertical C-shaped contusion  $1"$  x  $3/16"$ .  
The ear lobe is swollen and purple over an area  $3/8"$  in maximum dimension.
12. On the left side of the chin  $2"$  from the midline, there is a horizontal fresh abrasion  $1/4"$  x  $1/16"$ .
13. On the prominence of the right cheek, there is a C-shaped contusion  $3/8"$  in length by  $1/8"$  to  $1/16"$  in width.
14. On the right cheek just to the outside of the nasolabial fold, there is a somewhat triangular abraded contusion approximately  $1"$  on a side.

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B. Neck

1. Injuries absent.

A vertical incision down the midline of the back of the neck reveals a small amount of fresh hemorrhage over thoracic vertebrae C6, C7 or perhaps T1.

C. Arms including Hands

1. On the posterior lateral surface of the right elbow, there is a fresh vertical, elliptical abrasion  $3/8"$  x  $1/4"$ .
2. On the back of the right forearm about midway between elbow and wrist, there is a horizontal, rectangular fresh abrasion  $1/4"$  x  $1/8"$ .
3. On the back of the right wrist, there is a horizontal, elliptical fresh abrasion  $1/4"$  x  $1/8"$ .
4. On the anterior lateral surface of the right wrist above the heel of the thumb, there is a nearly circular fresh abrasion  $3/16"$  in maximum dimension.
5. The knuckle of the little finger of the right hand is discolored faintly purple over an area  $1/4"$  in maximum dimension.
6. On the back of the right hand over the knuckle of the middle finger or perhaps in the web between the middle finger and ring finger, there is a vertical, elliptical purple contusion  $1/4"$  x  $3/16"$ . On the back of the right hand, there are five minor fresh abrasions located as follows:
  - a. On the back of the ring finger just below the knuckle.
  - b. In the web between the middle finger and index finger.
  - c. In the web between the thumb and index finger, a somewhat rectangular abrasion  $1/2"$  x  $1/4"$ .
  - d. A  $1/8"$  abrasion  $1-1/2"$  above the knuckle of the ring finger.

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GRANT COUNTY  
FRANK WARD  
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- e. A 1/8" abrasion 1" above the knuckle of the little finger.
- 7. The tip of the right little finger has an abraded area approximately 1/4" x 1/8" adjacent to the fingernail.
- 8. On the palmar surface of the right index finger at the distal joint, there is a horizontal V-shaped fresh abrasion 1/8" on a side.
- 9. On the posterior lateral surface of the left elbow, there is a nearly circular fresh abrasion 1/4" in maximum dimension.
- 10. On the anterior lateral surface of the left forearm about midway between elbow and wrist, there is a 1/16" fresh abrasion.
- 11. The left hand, including the fingers, front and back, is free of injury.
- D. The injuries on the chest are described under Medical Treatment.
- E. Legs including feet
  - 1. On the outside of the left kneecap, there is a horizontal, rectangular fresh abrasion 1/4" x 1/8".
- F. On the back of the body, there are no injuries.

INTERNAL INJURIES:

A. Head

- 1. The scalp is reflected from a coronal mastoid to mastoid incision to reveal extensive uninterrupted hemorrhage in and underneath the scalp over the left frontal, parietal and occipital bones above the external occipital protuberance; over the right parietal bone in the temporalis muscle; and on the top of the head.  
In the back of the head, under the scalp, centered slightly above and to the left of the external occipital protuberance, there is additional fresh hemorrhage

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approximately 3-1/2" x 2" which overlies the upper end of a fracture described below.

In the skull, there is hemorrhage in both petrous temporal ridges (inner/middle ears), more on the left. In the left posterior fossa, there is a nearly vertical, non-displaced fracture which extends superiorly from the left side (3:00 o'clock) of the foramen magnum to the internal occipital protuberance where it ends. There is significant hemorrhage in the connective tissue connecting the circumference of the foramen magnum to the first cervical vertebra, and significant looseness of the attachment of the first cervical vertebra to the base of the skull at the foramen magnum. The brain stem and upper cervical spinal cord appear healthy, and there is no hemorrhage surrounding the cervical spinal cord.

The meninges (coverings of the brain) are smooth, moist and glistening. There is scattered fresh subarachnoid hemorrhage over the top of the cerebral hemispheres but especially on the undersurface of the frontal and temporal poles where there are contusions.

In the brain on the undersurface of both frontal lobes is a side to side, horizontal, rectangular area of soft purple cortical contusion approximately 2" x 3/4" with the left end underneath the olfactory nerve and the right end in the approximate middle of the right temporal lobe. On the anterior medial aspect of the left temporal pole, there is a fresh red 1/4" cortical contusion. On the inferior medial aspect of the right temporal pole slightly behind the tip are two elliptical cortical contusions. On the inferior lateral surface of the right temporal pole, there are a few elliptical 1/8" cortical contusions.

Photographs are taken.

4/22/92--xc to Dr. Holland and  
Grant County DA Foster Glass (dms)

ME0-92 278



OHSU TOXICOLOGY

County GRANT

Toxicology Number \_\_\_\_\_

Date of Death April 4, 1992

State Medical Invest. No. \_\_\_\_\_

Pathologist Edward Wilson, M. D.

Name FRANK WARD

Medical Examiner \_\_\_\_\_

Age 35 M F Occupation Police Officer

HISTORY:

Police officer beaten to death during attempt to stop domestic disturbance.

Autopsy Findings:

Head injuries.

Agents Suspected:

1. Heart blood for ETOH
2. Bladder urine for EMIT

Tissues Sent: HEART BLOOD AND BLADDER URINE

To State Office By \_\_\_\_\_ Time am Date \_\_\_\_\_

Received By \_\_\_\_\_ Time am Date \_\_\_\_\_

Phoned To \_\_\_\_\_ By \_\_\_\_\_ Time am Date \_\_\_\_\_

ORGAN

TESTS

Blood: Alcohol- none detected

URINE: EMIT d.a.u. for: Amphetamines, Barbiturates, Benzodiazepines,  
Cannabinoids, Cocaine metabolite, and Opiates- none detected

District \_\_\_\_\_

Signature

*Jeff N. Clin*

Date

*4/20/92*

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(5/87)