



Odontology Section – 2010

F30 The Sharra Ferger Homicide: A Cautionary, Cautionary Tale

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After attending this presentation, attendees will understand that keeping the totality of a case in view is crucial to a just resolution.

This presentation will impact the forensic science community by presenting two incidents, in this case, that could easily have led to a miscarriage of justice. All the evidence in a case is crucial to the correct outcome.

On October 3, 1997, nine-year-old Sharra Ferger disappeared from her home in eastern Pasco County, Florida. Her body was found in a nearby field. She had been stabbed 46 times, sexually assaulted, and a bite mark found on her left shoulder. A dentist who worked with the local medical examiner compared numerous dental models to photographs of the bite mark and rendered an opinion that a neighbor had caused the bite mark. A well qualified forensic odontologist was consulted. He agreed with the dentist's opinion and the neighbor was charged with the murder.

A forensic odontologist retained by the defense was able to digitally clarify the autopsy photographs and show the original opinions were in error. The State's Attorney dropped the charges. The defense expert was requested to review the entire case and act as the expert for the State. A "Round Table" review of the case by the agency which employed the forensic odontologist originally retained as a defense expert revealed a hair recovered from the victim's body was never analyzed. That hair yielded DNA information which matched another individual. Dental models obtained from that individual were compared and both the forensic odontologist examining the case and a peer reviewer agreed that the individual whose DNA matched did not cause the bite mark. The investigators determined that the individual whose DNA matched was a close friend of the victim's uncle. Dental models were obtained from the victim's uncle and the forensic odontologist comparing the models and a peer reviewer rendered opinions that unusual characteristics found made it highly probable that the uncle caused the bite mark. All this work took three years. The DNA match individual was convicted at trial. The uncle pleaded guilty to the murder and admitted causing the bite mark.

The behavioral profile indicated the murderer was a single individual. Had the hair not been examined until many years later and the uncle convicted at a trial based upon evidence which included the bite mark comparison it is possible some individuals would claim that DNA from the hair could exonerate the uncle. An examination of the hair many years post conviction would have shown the DNA did not match the person whose bite mark was part of the evidence which caused the conviction. Bite mark evidence might have been, "Thrown under the bus," in this case...completely in error. Totality of cases MUST be looked at before forensic evidence is blamed for unjust convictions. **Bite Marks, Totality of Evidence, Hair and DNA**