



E45 Spatters Matter: How Bloodstain Evidence Influenced the Police at the Scene and the Prosecutor and Jury in the Courtroom

Daniel V. Christman, MS, Snohomish County Medical Examiner's Office, PO Box 823, Bothell, WA 98041*

The goals of this presentation are to analyze the relationship of science and the law and apply the principles of forensic science with crime scene investigation techniques. This presentation will also discuss scientific methods and examine the evidentiary value of bloodstain patterns within a homicide scene, on the victim, and on the suspect and will illustrate that an investigator's opinions must be grounded in the analysis of the physical evidence and all known facts in the case.

This presentation will impact the forensic science community by helping attendees understand some basic principles associated with bloodstain pattern analysis, crime scene investigation, and scientific correlations of fluid dynamics to the resulting evidence within the featured homicide case. Attendees will also be challenged to give equal emphasis to all feasible and reasonable possibilities when considering answers to unknowns by implementing scientific methods to problem-solve the crime scene and develop a hypothesis.

This study uses a homicide case which includes bloodstain pattern analysis, blunt force trauma, and the correlation of injuries as well as a series of misdirected efforts to implicate and prosecute a husband in his wife's murder. On May 18, 1992, Gerald L. O'Grady relaxed in his West Vancouver, Canada, apartment and watched television while his wife worked in the kitchen. He wanted his wife to join him so Mr. O'Grady left the television room and walked toward the kitchen. There he found the room painted with blood and his wife's lifeless body on the floor — a victim of a brutal attack. The 70-year-old O'Grady started Cardiopulmonary Resuscitation (CPR) but, when fatigue set in, he stopped and called 911 for help.

Police and Emergency Medical Services (EMS) responded to the apartment where they found the front door dead-bolted. O'Grady opened the door from the inside and, standing before them, the first responders saw an elderly man with bloodstains covering his face, arms, clothing, and shoes. While EMS tended to his mortally wounded wife, the police became increasingly suspicious of Mr. O'Grady, questioning him at length about his alleged discovery of his injured wife as well as the exceptional bloodstains covering him. Mrs. O'Grady was taken to the hospital and Mr. O'Grady was taken to the police station for further questioning. Mrs. O'Grady died a short time later and Gerald O'Grady was ultimately charged with murdering his wife and was booked into jail.

Mr. O'Grady's defense counsel alleged that someone else entered the apartment that fateful night and savagely attacked Mrs. O'Grady in the kitchen while Mr. O'Grady watched television in another room in their residence. The prosecution countered that Mr. O'Grady murdered his wife. They believed the bloodstain evidence found at the crime scene, and most especially on Mr. O'Grady, would serve to convict him of his wife's murder.

During the first trial in 1993, the primary crime scene investigator gave conflicting, but honest, testimony. The jury found Mr. O'Grady guilty of second-degree murder. That conviction was successfully appealed in 1995, and a new trial was ordered on the grounds that "fresh evidence regarding blood spatter could have affected the result." New evidence was presented in the second trial, which ended in a mistrial in 1996 because the jury was unable to reach a unanimous verdict. The Crown Counsel (prosecution) then tried Mr. O'Grady for a third time. In the final trial, Gerald O'Grady was ultimately convicted of the second-degree murder of his wife and sentenced to life in prison; however, the physical evidence collected at the crime scene tells its own compelling story and, presented objectively, it supports Mr. O'Grady's account of the actions he took on that fateful night. In the end and in spite of the verdict, the physical evidence proves beyond a reasonable doubt that Mr. O'Grady did not commit his wife's murder.

This presentation examines the role physical evidence played in the trial process and how it was, or wasn't, used in Mr. O'Grady's original trial, in the second direct appeal trial, and in his third and last trial wherein Mr. O'Grady was finally convicted of murder. Mr. O'Grady died of natural causes while serving his sentence at the Ferndale Institution in Mission, British Columbia, Canada in 2004. He was 81 years of age.

Bloodstain, Evidence, Fluid-Dynamics