

## H144 Roderick Covlin's Botched Bathtub-Staged Homicide: Aquatic Investigative Techniques to Get It Right From the Start

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**Learning Overview:** After attending this presentation, attendees will have a novel approach to investigating staged bathtub homicides.

**Impact on the Forensic Science Community:** This presentation will impact the forensic science community by applying effective aquatic crime scene investigation procedures to body-reportedly-found-in-bathtub cases.

Roderick Covlin was an unemployed, lavish, womanizer, failed stockbroker, Taekwondo expert, and scheming professional backgammon player, engaged in a bitter divorce from his estranged, wealthy, banking executive wife. On New Year's Eve morning, 2009, Shele *Danishefsky* was found dead in her bloody bathtub by their 9-year-old daughter. The family declined an autopsy for Jewish Orthodox reasons and because the notable death appeared as an accidental slip and fall resulting in drowning. Covlin was not examined for injuries, the staged drowning scene was not processed, and evidence was not secured from the New York City luxury apartment because of the accident assumption.

Later, family concerns brought about an exhumation autopsy on March 1, 2010, resulting in a homicide due to "neck compression" diagnosis. Only then was an aquatic investigation applied, which raised factual suspicions.

Covlin then attempted to access the 5.2 million dollar inheritance by framing his daughter with a fake confession note, trying to get her to physically stage a rape by her custodial paternal grandfather, and spoke of plans to marry her off in Mexico at age 14.<sup>1</sup>

A staged crime scene entails a deliberate attempt to misdirect the investigation by altering the scene and events to disguise what actually occurred.<sup>2-4</sup> Staging can include directing investigators to incorrect perpetrators, disguising homicides as missing person cases, and making homicides resemble accident, suicide, or natural deaths.<sup>5,6</sup> Homicides staged as water-related or bathtub deaths are often misdiagnosed as accidents or suicides.<sup>7,8</sup> Aquatic scenes, like crash and fire scenes, require specialized investigative techniques.

Multiple indicators of possible deception existed prior to the autopsy that likely would have been caught if aquatic investigative techniques had been initially performed. Covlin disguised his land-based asphyxiation (strangulation) as an accidental aquatic asphyxiation (drowning) by posing *Danishefsky's* naked corpse in a bathtub full of water.<sup>9</sup> Ergo, a bathroom aquatic crime scene.

Diligent aquatic investigative techniques were required to recognize, decipher, and document scene inconsistencies, questionable events, dubious circumstances, physical attributes and conditions of reporting parties, and specious party statements. An evidence-based "Bathtub/Bathing Environment Investigation Form" was used addressing: (1) if it made sense that the decedent was in that water at that time; (2) if the location, position, posture, physical state, and scene of the decedent and reporting party(s) made sense; and (3) sensical reasoning for the decedent not surviving submersion. The questionnaire included detailed information from first responders, law enforcement, scene information, information about reporting parties, and the decedent's body, bathing habits, victimology, and medical history.

This audacious case demonstrates the necessity of competent aquatic incident procedures to reconstruct the altered scene and event. The methodical assessment employed probing aquatic investigative principles, regimented techniques, substantive pre- and postmortem investigative recommendations, and reconstructing reporting party statements and behaviors to test their veracity.

Covlin's fallacious statements and the anomalies contradicted the physical evidence, and the crime scene. For example: (1) signs of struggle initially assumed to be a slip-and-fall; (2) *Danishefsky* bathing with her hair down after a same-day, expensive, "perm" (hairstyle) treatment; (3) victim's injuries (anterior, posterior, and lateral, superficial, external contusions, abrasions, and a laceration); (4) bathtub water levels and displacement; (5) reporting party observation lines of sight and statements; (6) decedent's position and state on bathroom floor as observed by Emergency Medical Services (EMS) and documented by investigators versus decedent's purported positions in the bathtub when found by daughter and Covlin; (7) water flow sounds reported by daughter at night; (8) forensic pathology neck findings (hemorrhages and hyoid bone fracture); (9) martial arts choke hold statements; (10) 911 telephone statement; (11) water flow rates; (12) medical evidence; (13) victimology; (14) Covlin's inappropriate behavior before, during and after the crime (e.g., maliciousness, lack of panic, grief and sorrow); and (15) lack of accidental cause for incapacitation leading to drowning.

The botched Covlin/*Danishefsky* crime scene was a conscious effort to thwart its investigation by a conniving perpetrator. On March 11, 2019, reality trumped fiction. Truth and justice prevailed. Covlin was found guilty of second-degree murder and received the maximum sentence of 25 years to life.

### Reference(s):

1. *People of New York v. Roderick Covlin*, Case No. 4339 of 2015, Manhattan Supreme Court, NY; *People of New York v. Roderick Covlin*, No. 4339 of 2015, New York State Supreme Court, Appellate Division, 1st Dept. (Notice of Appeal filed April 11, 2019).
2. Chancellor, Arthur S., and Grant D. Graham. Staged crime scenes: Crime scene clues to suspect misdirection of the investigation. *Investigative Science Journal* 6.1 (2014):19-34.
3. Geberth, Vernon J. Equivocal Death Investigation with Staged Crime Scene. *Law and Order* 53.3 (2005): 52-55.
4. Schlesinger, Louis B. et al. Crime scene staging in homicide. *Journal of police and criminal psychology* 29.1(2014): 44-51.
5. Bitton, Yifat, and Hava Dayan. "The Perfect Murder": An Exploratory Study of Staged Murder Scenes and Concealed Femicide. *The British Journal of Criminology* 59.5 (2019): 1054-1075.



6. Schmidt, V., and M. Guggolz. Drowning in the bathtub after choking: Unusual death, accident or suicide? Reconstruction of an unusual fall. *Archiv fur Kriminologie* 187.5-6 (1991): 163-172.
  7. Water-related murders were undetected until a subsequent homicide was recognized as in the cases of Drew Peterson, Timothy Boczkowski, Coral Watts, and George Smith.
  8. Bathtub-related murders that were initially treated as accidents until investigations produced evidence of homicide as in the cases of Sylvia Dominguez, Fred Buschauer, Michael Huckaby, Chad Cutler, Johnny Wall.
  9. Ferguson, Claire. Staged homicides: An examination of common features of faked burglaries, suicides, accidents and car accidents. *Journal of Police and Criminal Psychology* 30.3 (2015): 139-157.
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## **Staged Crime Scene, Homicide, Asphyxiation**