

**UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT**

ESTATE OF GUGSA ABRAHAM	:	NO.: 3:16-cv-00534-RNC
DABELA, et al.,	:	
	:	
Plaintiffs,	:	<b>PLAINTIFFS' MEMORANDUM</b>
	:	<b>OF LAW IN OPPOSITION TO</b>
v.	:	<b>DEFENDANTS' MOTION TO</b>
	:	<b>QUASH</b>
TOWN OF REDDING, et al.,	:	
	:	Dated: November 8, 2018
Defendants.	:	

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**MEMORANDUM OF LAW**  
**IN OPPOSITION OF DEFENDANTS' MOTION TO QUASH**

**ORAL ARGUMENT REQUESTED**

Plaintiffs by and through their attorneys Excolo Law, PLLC respond to Defendants' Motion to Quash Subpoena Duces Tecum, ECF # 81, and state as follows:

**INTRODUCTION**

As this Court is well aware, this case concerns the death of Gugsa Abraham Dabela (Abe), of a single gunshot wound to the head in April 2014. According to the Defendants, Abe was found within his vehicle which had flipped over on the side of the road in Redding, Connecticut at approximately 1:30 am, less than 15 minutes after leaving a local restaurant and pub, The Black Cat Grille. By all eyewitness accounts, Abe was in his normal friendly, upbeat spirits in the moments and hours preceding his death, interacting with friends and patrons and handing out business cards for his burgeoning legal practice. The instant suit seeks damages for various constitutional violations, including the intentional failure to properly investigate the incident.

Plaintiffs also allege that the Defendants have conspired to cover-up Abe's murder, by insisting from day one that Abe's death was a "self-inflicted" suicide.

Approximately one year after Abe's death, and one year prior to the filing of the Complaint in this litigation, DNA samples were collected from various individuals who had been first responders to the scene of the motor vehicle accident. These DNA samples were submitted to the State of Connecticut DESPP Division of Scientific Services (Crime Lab) for examination.

The final DNA section reports prepared by the Crime Lab based on this initial DNA collection concluded that the first responders tested were all "excluded as contributors" to the DNA collected from Abe's gun. State's Attorney Stephen Sedensky informed Abe's father of this finding, and all parties proceeded for years as if the first responders were properly cleared of wrongdoing. Only in early September 2017 did serious questions arise about this initial collection of DNA of the first responding police officers and firefighters.

These questions arose after Abe's father, Dr. Abraham B. Dabela (Dr. Dabela), personally prepared a Freedom of Information Act request (FOIA Request) that he directly submitted to the Crime Lab (without involvement of the attorneys in this litigation). Dr. Dabela learned of four startling facts concerning the first responder DNA collection, which were withheld from him and his attorneys, and were not revealed in the Defendants' discovery responses. It is the following four facts that now underpin the demand that the DNA of all first responders be properly re-collected and properly tested:

**First**, the first responders' DNA was not collected by properly-trained DNA technicians. Rather, (i) the DNA of the first responding police officers was personally collected by now disgraced former police chief Defendant Fuchs, and (ii) the DNA of the first responding firefighters was personally collected by a member of Defendant Fuchs' staff, believed to be either

Captain Mark O'Donnell or Defendant Quinn. (See Exhibit "A" Chain of Custody Report (obtained by FOIA Request)).

**Second**, the Crime Lab's DNA forensic examiners had identified possible quality control issues with at least two of the samples submitted for testing. (Exhibit "B" Email regarding a possible quality control issue (obtained by FOIA Request)). Although the Crime Lab issued final reports based on these DNA specimens, the FOIA Request results reveal that the underlying samples may have had defects that could have compromised these results.

**Third**, during the Crime Lab's analysis, one of the samples from the firefighters tested as female, despite the identification as that of a male. This discrepancy was brought to the attention of the Redding Police Department by email inquiry on June 9, 2015. (Exhibit "C" Email regarding unexpected female DNA (obtained by FOIA Request)). However, this issue was not revealed in the subsequent litigation discovery; rather it was only discovered by Dr. Dabela himself two years later through his FOIA request. In response to the Crime Lab's inquiry, Mr. O'Donnell informed the Crime Lab that the individual he had identified as "Liam Bauer" in his police report, was really "Lauren Bauer." (Exhibit "D" DNA Section handwritten note regarding Captain O'Donnell's call (obtained by FOIA Request)). The Plaintiff submits that while a certain "Liam Bauer" is (and was in 2014) a Lieutenant firefighter with the Georgetown Fire Department, there is no evidence that a "Lauren Bauer" works for the department or had anything to do with the department or the scene response to Abe's death.

**Fourth**, three firefighters did not show up for DNA collection at the allotted time set for collection by Mr. O'Donnell. These three firefighters are Liam Bauer, Preston Boyd and Gregory Zap. These three men were never tested, and therefore never even preliminarily excluded as potential contributors to the DNA on Abe's gun. The Plaintiff also brings to the Court's attention

that in the weeks prior to Abe's death, local firemen had intimidated Abe at a local bar causing him to feel so uncomfortable that he left that local bar and went to The Black Cat Grille (the same bar from which he left immediately prior to his killing). (Exhibit "E" screen grab, Abe's Facebook message regarding fireman intimidation a few weeks preceding his death).

For these four reasons, there are serious questions concerning the integrity of the initial DNA collection process.

Further, contrary to the Defendants' claim that the requested DNA examinations have already been properly conducted, the Defendants' own DNA expert, Ms. Susan Ryan, in her deposition for the instant litigation, stated that the DNA testing that had been done on the first responders does not allow for the exclusion of the first responders as having touched the trigger. As such, it is crucial to have an independent third-party lab collect and re-examine the DNA using DNA that is confirmed to be collected from the actual individuals claimed.

With all this in mind, Plaintiffs, through counsel, have repeatedly requested the DNA from the same individuals who had voluntarily provided their DNA in the past, as well as the three firefighters who avoided being tested previously. Plaintiffs requested this voluntary testing for months prior to issuing the subpoena, because Defendants' counsel had advised that their clients would voluntarily agree to re-testing. Only on the very last day of the discovery period did Defendants' counsel advise Plaintiffs' counsel that their clients would refuse to submit to this testing, and that Defendants' counsel would move to quash any subpoena forcing them to do so. It was with shock that the Plaintiffs were then forced to scramble and submit the subpoenas at issue on the last day of the discovery period. Plaintiffs submit that Defendants and their counsel purposely misled Plaintiffs repeatedly in response to prior requests and that Defendants never actually intended to comply with the request to voluntarily submit to DNA re-examination, but

rather intended to expire the discovery period and delay the process of obtaining this confirmatory DNA in hopes that the judicial delay would cause Plaintiffs to cease pursuing this evidence.

Inexplicably, after voluntarily allowing Defendant Fuchs and his subordinates to collect their DNA for ostensibly the same purpose, these individuals are now refusing to allow the collection of their DNA by an independent, properly-trained lab technician, and are seeking judicial intervention to prevent the Plaintiffs from obtaining evidence that would not only be relevant to, but would in fact be central to, Plaintiffs claim of conspiracy and cover-up, and may even be probative on the question of the identity of the “Killer John Doe”, whom the Defendants’ cover-up is designed to protect.

Without voluntary compliance, Plaintiffs were forced to subpoena the DNA from these individuals. Defendants objected filing the instant motion to quash based upon grounds of burden and duplication. As shown below, there is neither undue burden nor unreasonable duplication.

## ARGUMENT

### **I. DEFENDANTS HAVE FAILED TO SHOW UNDUE BURDEN**

The Defendants Motion to Quash Subpoena Duces Tecum states that Plaintiffs’ subpoenas duces tecum constitute an undue burden and are unreasonably cumulative and duplicative. The Federal Rules of Civil Procedure 26(b)(1) states:

Unless otherwise limited by court order: parties may obtain discovery regarding any nonprivileged matter that is relevant to any party’s claim or defense and proportional to the needs of the case, considering the importance of the issues at stake in the action, the amount in controversy, the parties’ relative access to relevant information, the parties’ resources, the importance of the discovery in resolving the issues, and whether the burden or expense of the proposed discovery outweighs its likely benefit.

In the present case, Plaintiffs requested certain defendants as well as other first responders on the scene of Abe’s motor vehicle accident to provide an additional DNA sample to allow for

independent testing and two distinct comparisons: (i) a comparison between the original test and the newly collected DNA, and (ii) a comparison of the newly collected DNA to the DNA recovered from Abe’s gun. The request of additional DNA analysis is an important issue in the present action since Defendants claim that Abe committed suicide using Abe’s own gun, yet there is no physical evidence to corroborate their allegation that Abe fired his gun himself that night. Indeed, there is physical evidence to the contrary that suggests some other as-yet-unidentified person fired Abe’s weapon. According to the Connecticut State Laboratory Report, a testable sample of DNA was collected from the trigger of Abe’s gun, and the Crime Lab’s tests *excluded* Abe as a contributor to this DNA collected from the trigger. (See Exhibit “F”, ¶ 5). In addition, the Crime Lab specifically requested samples of “suspects” for comparison testing to the DNA sample recovered from the trigger. *Id.*

Whether a subpoena imposes an “undue burden” “depends upon ‘such factors as relevance, the need of the party for the documents, the breadth of the document, the time period covered by it, the particularity with which the documents are described, and the burden imposed.’” *See Concord Boat Corp. v. Brunswick Corp.*, 169 F.R.D. 44, 49 (S.D.N.Y.1996). In the present case, the Defendants did not specifically allege any reason why it is burdensome for Plaintiffs to request for additional DNA analysis. The Defendants should not be able to just claim that the request is not proportional, but must make a showing as to why such a request is disproportional. In *United States Reg'l Econ. Dev. Auth., LLC v. Matthews*, the court held “that although a subpoena may be quashed if it calls for clearly irrelevant matter, the district judge need not pass on the admissibility of the documents sought in advance of trial nor quash a subpoena demanding their production if there is any ground on which they might be relevant.” *See United States Reg'l Econ. Dev. Auth., LLC v. Matthews*, No. 3:16-CV-01093 (CSH), 2018 WL 2172713, at \*9 (D. Conn. May 10, 2018).

While Defendants argue that the collection of the DNA evidence “constitutes an undue burden”, Defendants present no evidence of such burden and make no claim as to irrelevance. More is required from the Defendants to establish their case for judicially quashing this subpoena.

On the other hand, there is little, if any burden to Plaintiffs’ request. To collect the DNA as subpoenaed by Plaintiffs, an independent technician will obtain a buccal swab from the provider’s mouth which requires that the provider open his mouth and allow the individual collecting the evidence to use a sterile cotton swab to swab his mouth. Nothing more. The entire process would take the provider less than 30 seconds of his time. To suggest that allowing one’s mouth to be swabbed is “burdensome” borders on absurdity. There is no appreciable burden to complying with Plaintiffs’ request. Furthermore, Plaintiffs intend to bear the cost of this testing and is seeking no reimbursement from Defendants. Thus, this Court should dismiss Defendants’ claim of burden and the subpoenas should not be quashed.

## **II. THERE ARE SERIOUS QUESTIONS ABOUT THE INITIAL DNA TESTING OF THE FIRST RESPONDERS**

Curiously, as more fully described in the “Introduction” section above, there is an apparent discrepancy in the original testing of the DNA samples from the firefighters. Attached as Exhibit “G” is a submission report where Capt. Mark O’Donnell submitted buccal swabs to the Crime Lab. On page three of the document, there is an indication that a buccal swab was obtained for a Liam Bauer. A review of all six names<sup>1</sup> from Exhibit “G” strongly suggests that these are male names. Attached as Exhibit “C” is an e-mail from Jian Tao, PhD (Forensic Examiner 1, Crime Lab) to

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<sup>1</sup> Excerpt from Police Report regarding DNA collection:

On 4/13/2015 I was requested by Sergeant Quinn to go to the Georgetown Fire Department to meet with eight members to obtain a DNA sample. These individuals are William Ely, Donald Baker, Liam Bauer, Michael Heibeck, Micheal Ducey, Preston Boyd, Gregory Zap and Khalid Gourad. These are all members of the volunteer Georgetown Fire Department and respond to medical and fire call and all responded to the scene for this incident. I met with and obtained a DNA swab from six of these members. Preston Boyd and Gregory Zap were not present to submit a sample. The DNA swabs were individually collected and sealed with evidence tape and identified with each members GFD call number. They were brought back to the Redding Police Department by myself and left for Officer Dias as instructed.

Captain O'Donnell in which Tao indicates that the DNA profile for item #22 is from a female. This is inconsistent with the names provided to the Crime Lab. In response to the e-mail, Capt. O'Donnell responded by telephone call (perhaps in an effort to avoid future email discovery) (*See Exhibit "D"*) that Liam Bauer should be Lauren Bauer. This is extremely troubling.

First, Liam Bauer is a firefighter with the Georgetown Fire Department. (*See Exhibit "H"*). Second, a Lexis search of public records shows that an individual named "Lauren Bauer" lives with Liam Bauer<sup>2</sup>. Furthermore, the Lexis search also reveals that while Liam Bauer is licensed as an EMT, consistent with his association with the Georgetown Fire Department, Lauren Bauer lists no licenses. Thus, it is questionable as to why Lauren Bauer would have been one of the Georgetown Fire Department responders to the scene of Abe's death. It also raises serious questions as to why Lauren Bauer would voluntarily submit her DNA, in lieu of Liam Bauer's DNA, for a process intended to exculpate Liam Bauer from any lingering suspicion in this case.

If it turns out that it really was Liam Bauer who was at the scene of the motor vehicle accident, then the integrity of the DNA collections that were provided to the Crime Lab is necessarily called into question. Why would Lauren Bauer's DNA have been collected in place of Liam Bauer's DNA? To resolve these concerns, the DNA of these individuals should be re-collected and tested by an independent lab. A process intended to verify that the newly collected DNA samples are the same as the ones previous collected is entirely not duplicative of the prior collection and testing process. To the contrary, if it turns out that there are discrepancies between the samples, that would certainly be probative of whether Defendants engaged in the conduct complained of in the Complaint.

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<sup>2</sup> Because of privacy concerns and licensing concerns, the Lexis report has not been attached to this motion but is available to the Court and opposing counsel on request.

### **III. CRIME LAB DNA TECHNICIANS IDENTIFIED POTENTIAL QUALITY CONTROL ISSUES WITH THE PREVIOUSLY SUBMITTED DNA SAMPLES**

The Crime Lab's highly trained DNA forensic examiners identified possible quality control issues with at least two of the first responder DNA samples submitted for testing. (See Exhibit "B"). Although a Crime Lab supervisor had previously approved the finalization of lab reports despite these noted defects, given the criticality of the questions at issue in this case, re-collecting and re-testing the DNA of potential suspects should weigh in favor of re-examination with samples collected by properly-trained DNA technicians to minimize the risk that the prior tests were compromised in any respect.

### **IV. DEFENDANTS' EXPERT OPINED THAT THE ORIGINAL RESULTS ARE INCONCLUSIVE**

Plaintiffs' counsel deposed Defendants' DNA expert, Ms. Susan Ryan, on October 11, 2018. During the deposition, Ms. Ryan testified that based upon the DNA evidence collected at the time, the first responders cannot be excluded:

4 Let me ask a parallel question. Several of the  
 5 first responders were swabbed for their DNA; right?  
 6 A Yes.  
 7 Q You'd agree that for the same reasoning that  
 8 you can't exclude that Gugsa touched the gun, you  
 9 couldn't exclude any of the first responders as well?  
 10 A I agree. I think that the profile is  
 11 inconclusive.

Ryan, MS, D-ABC, Suzanne, (Page 45:4 to 45:11) Attached as Exhibit "I".

Thus, any reliance that the Defendants have on the previous DNA analysis is spurious at best. Given the inconclusive nature of the original results combined with questionable integrity of

the initial DNA collection, it is crucial for Plaintiffs to have an opportunity for an independent lab to collect and analyze the DNA from the first responders as subpoenaed.

**V. DEFENDANTS HAVE FAILED TO SHOW THAT PLAINTIFFS' REQUEST IS DUPLICATIVE**

Defendants next argue that the provision of additional samples of DNA is “unreasonably cumulative”, yet there is nothing to show this to be the case. While it is claimed that DNA was collected in the past from these individuals, there are compelling reasons, as discussed above, for the DNA to be re-collected and analyzed. Given that there is essentially no burden to comply with the subpoenas, the existence of slight duplication of the initial DNA provides little weight against allowing the re-collection.

Furthermore, if there is a discrepancy between the re-collected samples and the original samples, this would be strong evidence in favor of Plaintiffs’ claims which revolve to a large degree around the Defendants’ intentional efforts to mislead the Crime Lab and create Crime Lab reports that seek to exonerate all scene personnel from being involved in Abe’s killing. The taking of the original samples is a factual element in this case done by the Defendants more than one year prior to the Compliant being filed, and was not done for the purposes of litigation. Given the procedural and factual issues identified above and withheld from Plaintiffs by the Defendants and only obtained through Dr. Dabela’s proactive effort to uncover the truth, Plaintiffs should be allowed to have an independent, properly-trained technician collect this DNA to test the integrity of the original collection as well as to compare the samples collected to the original collection of DNA. This confirmatory comparison has not as of yet been performed and cannot be performed without the collection of new samples of DNA.

Therefore, the collection of the DNA by an independent lab is not sufficiently cumulative or burdensome to warrant the granting of the motion to quash.

## CONCLUSION

In summary, Plaintiffs requested the DNA for the subpoenaed individuals for good reasons. There are significant questions concerning the integrity of the initial testing. A Defendant and an employee of a Defendant were responsible for the collection of the initial DNA. There is no assurance that these DNA samples were collected correctly by a non-expert, and at least one sample was not collected from the stated individual that was reported to the Crime Lab.

Defendants have failed to show that the requested DNA would be burdensome to provide or that there is significant duplication in the production of the information. Clearly, there is a difference between being given the results of a test where Defendants have played a part in its creation, and allowing Plaintiffs their own independent opportunity to conduct the test. There is no meaningful burden to the individuals providing DNA swabs.

Finally, Defendants and their counsel purposely misled Plaintiffs repeatedly in response to prior requests to voluntarily submit to DNA re-examination. Due to their delay, *time is of the essence*, and Defendants should not benefit from additional delay introduced by their Motion to Quash.

As such, Defendants' motion to quash should be denied and the subpoenas should be complied with.

Respectfully Submitted,

Date: November 8, 2018

/s/ Keith Altman  
Keith Altman (p.h.v.)  
Solomon Radner (p.h.v.)  
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**CERTIFICATE OF SERVICE**

I hereby certify that on November 8, 2018, a copy of foregoing Memorandum of Law in Opposition to Defendants' Motion to Quash was filed electronically. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

*/s/ Keith Altman*  
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DABELA, et al.,	:	
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Plaintiffs,	:	
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v.	:	
	:	
TOWN OF REDDING, et al.,	:	
	:	
Defendants.	:	

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**INDEX OF EXHIBITS**

- A. Chain of Custody Report
- B. Email regarding Quality Control
- C. Email regarding Unexpected Female DNA
- D. Crime Lab Memo regarding Lauren Bauer vs. Liam Bauer
- E. Abe's Facebook Post regarding Fire Fighter Intimidation
- F. Crime Lab DNA Reports
- G. Submission of First Responder DNA
- H. News Article regarding Liam Bauer
- I. Deposition Transcript of Defense Expert Suzanna Ryan

11/20/2014 2:56:02PM	Evidence Receiving - incoming (room 206)	<input type="checkbox"/> Rosen, Penni S	[X]
11/20/2014 2:56:04PM	Rosen, Penni S	<input checked="" type="checkbox"/> Lopes-Phelan, Lucinda A.	[X]
12/3/2014 3:10:16PM	Lopes-Phelan, Lucinda A.	<input checked="" type="checkbox"/> Rosen, Penni S	[X]
12/3/2014 3:10:18PM	Rosen, Penni S	<input checked="" type="checkbox"/> Evidence Receiving - outgoing (room 207)	[ ]
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1/6/2015 1:03:07PM	Andrews, Cheryl	<input checked="" type="checkbox"/> O'Donnell, Mark	[ ]

Total number of transfers: 8

**ITEM # / DESCRIPTION: 008-RPT- Reconstruction report**

1

<u>Date/Time of Transfer</u>	<u>From</u>	<u>PIN</u>	<u>To</u>	<u>PIN</u>
10/30/2014 3:07:57PM	O'Donnell, Mark	<input type="checkbox"/>	Rosen, Penni S	[X]
10/30/2014 3:07:59PM	Rosen, Penni S	<input checked="" type="checkbox"/>	Evidence Receiving - incoming (room 206)	[ ]
11/20/2014 2:56:02PM	Evidence Receiving - incoming (room 206)	<input type="checkbox"/>	Rosen, Penni S	[X]
11/20/2014 2:56:04PM	Rosen, Penni S	<input checked="" type="checkbox"/>	Lopes-Phelan, Lucinda A.	[X]
12/3/2014 3:10:16PM	Lopes-Phelan, Lucinda A.	<input checked="" type="checkbox"/>	Rosen, Penni S	[X]
12/3/2014 3:10:18PM	Rosen, Penni S	<input checked="" type="checkbox"/>	Evidence Receiving - outgoing (room 207)	[ ]
1/5/2015 2:56:21PM	Evidence Receiving - outgoing (room 207)	<input type="checkbox"/>	Lopes-Phelan, Lucinda A.	[X]
1/5/2015 3:24:31PM	Lopes-Phelan, Lucinda A.	<input checked="" type="checkbox"/>	Andrews, Cheryl	[X]
1/5/2015 3:24:33PM	Andrews, Cheryl	<input checked="" type="checkbox"/>	Evidence Receiving - outgoing (room 207)	[ ]
1/6/2015 1:03:05PM	Evidence Receiving - outgoing (room 207)	<input type="checkbox"/>	Andrews, Cheryl	[X]
1/6/2015 1:03:07PM	Andrews, Cheryl	<input checked="" type="checkbox"/>	O'Donnell, Mark	[ ]

Total number of transfers: 11

**ITEM # / DESCRIPTION: 008-S1 SEM disk from left cuff**

<u>Date/Time of Transfer</u>	<u>From</u>	<u>PIN</u>	<u>To</u>	<u>PIN</u>
10/30/2014 3:07:57PM	O'Donnell, Mark	<input type="checkbox"/>	Rosen, Penni S	[X]
10/30/2014 3:07:59PM	Rosen, Penni S	<input checked="" type="checkbox"/>	Evidence Receiving - incoming (room 206)	[ ]
11/20/2014 2:56:02PM	Evidence Receiving - incoming (room 206)	<input type="checkbox"/>	Rosen, Penni S	[X]
11/20/2014 2:56:04PM	Rosen, Penni S	<input checked="" type="checkbox"/>	Lopes-Phelan, Lucinda A.	[X]
12/3/2014 10:26:44AM	Lopes-Phelan, Lucinda A.	<input checked="" type="checkbox"/>	Kwok, Fung-Cho	[X]
5/2/2016 4:19:35PM	Kwok, MD, Fung C.	<input type="checkbox"/>	SEM Storage - Room 163	[ ]

Total number of transfers: 6

**ITEM # / DESCRIPTION: 008-S2 SEM disk from right cuff**

<u>Date/Time of Transfer</u>	<u>From</u>	<u>PIN</u>	<u>To</u>	<u>PIN</u>
10/30/2014 3:07:57PM	O'Donnell, Mark	<input type="checkbox"/>	Rosen, Penni S	[X]
10/30/2014 3:07:59PM	Rosen, Penni S	<input checked="" type="checkbox"/>	Evidence Receiving - incoming (room 206)	[ ]
11/20/2014 2:56:02PM	Evidence Receiving - incoming (room 206)	<input type="checkbox"/>	Rosen, Penni S	[X]
11/20/2014 2:56:04PM	Rosen, Penni S	<input checked="" type="checkbox"/>	Lopes-Phelan, Lucinda A.	[X]
12/3/2014 10:26:44AM	Lopes-Phelan, Lucinda A.	<input checked="" type="checkbox"/>	Kwok, Fung-Cho	[X]
5/2/2016 4:19:35PM	Kwok, MD, Fung C.	<input type="checkbox"/>	SEM Storage - Room 163	[ ]

Total number of transfers: 6

**ITEM # / DESCRIPTION: 008-S3 Cutting - r/b stain on interior of left cuff**

<u>Date/Time of Transfer</u>	<u>From</u>	<u>PIN</u>	<u>To</u>	<u>PIN</u>
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10/30/2014 3:07:59PM	Rosen, Penni S	<input checked="" type="checkbox"/>	Evidence Receiving - incoming (room 206)	[ ]
11/20/2014 2:56:02PM	Evidence Receiving - incoming (room 206)	<input type="checkbox"/>	Rosen, Penni S	[X]
11/20/2014 2:56:04PM	Rosen, Penni S	<input checked="" type="checkbox"/>	Lopes-Phelan, Lucinda A.	[X]

**NOTE: [X] indicates a secured transaction ( a PIN was entered )**

12/3/2014 10:27:23AM Lopes-Phelan, Lucinda A.

[X] Freezer Storage

[ ]

Total number of transfers: 5

ITEM # / DESCRIPTION: 008-S4 Cutting - r/b stain on exterior of right cuff

<u>Date/Time of Transfer</u>	<u>From</u>	<u>PIN</u>	<u>To</u>	<u>PIN</u>
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10/30/2014 3:07:59PM	Rosen, Penni S	[X]	Evidence Receiving - incoming (room 206)	[ ]
11/20/2014 2:56:02PM	Evidence Receiving - incoming (room 206)	[ ]	Rosen, Penni S	[X]
11/20/2014 2:56:04PM	Rosen, Penni S	[X]	Lopes-Phelan, Lucinda A.	[X]
12/3/2014 10:27:23AM	Lopes-Phelan, Lucinda A.	[X]	Freezer Storage	[ ]

Total number of transfers: 5

**ITEM # / DESCRIPTION: 008rpt rpt**

<u>Date/Time of Transfer</u>	<u>From</u>	<u>PIN</u>	<u>To</u>	<u>PIN</u>
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10/30/2014 3:07:59PM	Rosen, Penni S	<input checked="" type="checkbox"/>	Evidence Receiving - incoming (room 206)	[ ]
11/20/2014 2:56:02PM	Evidence Receiving - incoming (room 206)	<input type="checkbox"/>	Rosen, Penni S	[X]
11/20/2014 2:56:04PM	Rosen, Penni S	<input checked="" type="checkbox"/>	Lopes-Phelan, Lucinda A.	[X]
12/3/2014 10:26:44AM	Lopes-Phelan, Lucinda A.	<input checked="" type="checkbox"/>	Kwok, Fung-Cho	[X]
12/17/2014 3:48:03PM	Kwok, Fung-Cho	<input checked="" type="checkbox"/>	Niazi, Cara	[X]
12/17/2014 3:48:05PM	Niazi, Cara	<input checked="" type="checkbox"/>	Evidence Receiving - outgoing (room 207)	[ ]
4/13/2015 11:15:43AM	Evidence Receiving - outgoing (room 207)	<input type="checkbox"/>	Niazi, Cara	[X]
4/13/2015 11:15:45AM	Niazi, Cara	<input checked="" type="checkbox"/>	Dias, Christina	[ ]

Total number of transfers: 9

ITEM # / DESCRIPTION: 009 Envelope with "Buccal swab Sergeant #105"

<u>Date/Time of Transfer</u>	<u>From</u>	<u>PIN</u>	<u>To</u>	<u>PIN</u>
11/20/2014 8:37:36AM	Fuchs, Douglas		<input type="checkbox"/> Rosen, Penni S	[X]
11/20/2014 8:37:38AM	Rosen, Penni S		<input checked="" type="checkbox"/> Evidence Receiving - incoming (room 206)	[ ]
11/21/2014 9:34:28AM	Evidence Receiving - incoming (room 206)		<input type="checkbox"/> Niazi, Cara	[X]
11/21/2014 9:34:30AM	Niazi, Cara		<input checked="" type="checkbox"/> Hsiao, Christine	[X]
11/21/2014 11:06:58AM	Hsiao, Christine		<input checked="" type="checkbox"/> DNA Knowns - Completed	[ ]
12/9/2014 8:57:13AM	DNA Knowns - Completed		<input type="checkbox"/> Tao, Ph.D., Jian	[X]
12/9/2014 1:24:48PM	Tao, Ph.D., Jian		<input checked="" type="checkbox"/> Niazi, Cara	[X]
12/9/2014 1:24:50PM	Niazi, Cara		<input checked="" type="checkbox"/> Evidence Receiving - outgoing (room 207)	[ ]
1/6/2015 1:03:05PM	Evidence Receiving - outgoing (room 207)		<input type="checkbox"/> Andrews, Cheryl	[X]
1/6/2015 1:03:07PM	Andrews, Cheryl		<input checked="" type="checkbox"/> O'Donnell, Mark	[ ]

Total number of transfers: 10

**ITEM # / DESCRIPTION: 009-1      One FTA Buccal Card - Sergeant #105**

<u>Date/Time of Transfer</u>	<u>From</u>	<u>PIN</u>	<u>To</u>	<u>PIN</u>
11/20/2014 8:37:36AM	Fuchs, Douglas	<input type="checkbox"/>	Rosen, Penni S	[X]
11/20/2014 8:37:38AM	Rosen, Penni S	<input checked="" type="checkbox"/>	Evidence Receiving - incoming (room 206)	[ ]
11/21/2014 9:34:28AM	Evidence Receiving - incoming (room 206)	<input type="checkbox"/>	Niazi, Cara	[X]
11/21/2014 9:34:30AM	Niazi, Cara	<input checked="" type="checkbox"/>	Hsiao, Christine	[X]
11/21/2014 11:06:56AM	Hsiao, Christine	<input checked="" type="checkbox"/>	DNA IQ - To Be Tested	[ ]
11/21/2014 1:52:03PM	DNA IQ - To Be Tested	<input type="checkbox"/>	Morganti, Michael	[X]
11/21/2014 4:00:22PM	Morganti, Michael	<input checked="" type="checkbox"/>	FTA Buccal Known Storage	[ ]

Total number of transfers: 7

**ITEM # / DESCRIPTION: 009-RPT- DNA report**

<u>Date/Time of Transfer</u>	<u>From</u>	<u>PIN</u>	<u>To</u>	<u>PIN</u>
11/20/2014 8:37:36AM	Fuchs, Douglas	[ ]	Rosen, Penni S	[X]
11/20/2014 8:37:38AM	Rosen, Penni S	[X]	Evidence Receiving - incoming (room 206)	[ ]
11/21/2014 9:34:28AM	Evidence Receiving - incoming (room 206)	[ ]	Niazi, Cara	[X]
11/21/2014 9:34:30AM	Niazi, Cara	[X]	Hsiao, Christine	[X]
11/21/2014 11:06:58AM	Hsiao, Christine	[X]	DNA Knowns - Completed	[ ]
12/8/2014 3:43:22PM	DNA Knowns - Completed	[ ]	Tao, Ph.D., Jian	[ ]
12/9/2014 1:24:48PM	Tao, Ph.D., Jian	[X]	Niazi, Cara	[X]
12/9/2014 1:24:50PM	Niazi, Cara	[X]	Evidence Receiving - outgoing (room 207)	[ ]
1/6/2015 1:03:05PM	Evidence Receiving - outgoing (room 207)	[ ]	Andrews, Cheryl	[X]
1/6/2015 1:03:07PM	Andrews, Cheryl	[X]	O'Donnell, Mark	[ ]

Total number of transfers: 10

<b>ITEM # / DESCRIPTION: 010</b>		<b>Envelope with "Buccal swab Sergeant #109"</b>		
<u>Date/Time of Transfer</u>	<u>From</u>	<u>PIN</u>	<u>To</u>	<u>PIN</u>
11/20/2014 8:37:36AM	Fuchs, Douglas	[ ]	Rosen, Penni S	[X]
11/20/2014 8:37:38AM	Rosen, Penni S	[X]	Evidence Receiving - incoming (room 206)	[ ]
11/21/2014 9:34:28AM	Evidence Receiving - incoming (room 206)	[ ]	Niazi, Cara	[X]
11/21/2014 9:34:30AM	Niazi, Cara	[X]	Hsiao, Christine	[X]
11/21/2014 11:06:58AM	Hsiao, Christine	[X]	DNA Knowns - Completed	[ ]
12/9/2014 8:57:13AM	DNA Knowns - Completed	[ ]	Tao, Ph.D., Jian	[X]
12/9/2014 1:24:48PM	Tao, Ph.D., Jian	[X]	Niazi, Cara	[X]
12/9/2014 1:24:50PM	Niazi, Cara	[X]	Evidence Receiving - outgoing (room 207)	[ ]
1/6/2015 1:03:05PM	Evidence Receiving - outgoing (room 207)	[ ]	Andrews, Cheryl	[X]
1/6/2015 1:03:07PM	Andrews, Cheryl	[X]	O'Donnell, Mark	[ ]

Total number of transfers: 10

<b>ITEM # / DESCRIPTION: 010-1</b>		<b>One FTA Buccal Card - Sergeant #109</b>		
<u>Date/Time of Transfer</u>	<u>From</u>	<u>PIN</u>	<u>To</u>	<u>PIN</u>
11/20/2014 8:37:36AM	Fuchs, Douglas	[ ]	Rosen, Penni S	[X]
11/20/2014 8:37:38AM	Rosen, Penni S	[X]	Evidence Receiving - incoming (room 206)	[ ]
11/21/2014 9:34:28AM	Evidence Receiving - incoming (room 206)	[ ]	Niazi, Cara	[X]
11/21/2014 9:34:30AM	Niazi, Cara	[X]	Hsiao, Christine	[X]
11/21/2014 11:06:58AM	Hsiao, Christine	[X]	DNA IQ - To Be Tested	[ ]
11/21/2014 1:52:03PM	DNA IQ - To Be Tested	[ ]	Morganti, Michael	[X]
11/21/2014 4:00:22PM	Morganti, Michael	[X]	FTA Buccal Known Storage	[ ]

Total number of transfers: 7

<b>ITEM # / DESCRIPTION: 011</b>		<b>Envelope with "Buccal swab Sergeant #111"</b>		
<u>Date/Time of Transfer</u>	<u>From</u>	<u>PIN</u>	<u>To</u>	<u>PIN</u>
11/20/2014 8:37:36AM	Fuchs, Douglas	[ ]	Rosen, Penni S	[X]
11/20/2014 8:37:38AM	Rosen, Penni S	[X]	Evidence Receiving - incoming (room 206)	[ ]
11/21/2014 9:34:28AM	Evidence Receiving - incoming (room 206)	[ ]	Niazi, Cara	[X]
11/21/2014 9:34:30AM	Niazi, Cara	[X]	Hsiao, Christine	[X]
11/21/2014 11:06:58AM	Hsiao, Christine	[X]	DNA Knowns - Completed	[ ]
12/9/2014 8:57:13AM	DNA Knowns - Completed	[ ]	Tao, Ph.D., Jian	[X]
12/9/2014 1:24:48PM	Tao, Ph.D., Jian	[X]	Niazi, Cara	[X]
12/9/2014 1:24:50PM	Niazi, Cara	[X]	Evidence Receiving - outgoing (room 207)	[ ]
1/6/2015 1:03:05PM	Evidence Receiving - outgoing (room 207)	[ ]	Andrews, Cheryl	[X]

NOTE: [X] indicates a secured transaction ( a PIN was entered )

1/6/2015 1:03:07PM Andrews, Cheryl

Laboratory Case #: DSS14-001194

[X] O'Donnell, Mark

[ ]

Total number of transfers: 10

**ITEM # / DESCRIPTION: 011-1 One FTA Buccal Card - Sergeant #111**

<u>Date/Time of Transfer</u>	<u>From</u>	<u>PIN</u>	<u>To</u>	<u>PIN</u>
11/20/2014 8:37:36AM	Fuchs, Douglas	[ ]	Rosen, Penni S	[X]
11/20/2014 8:37:38AM	Rosen, Penni S	[X]	Evidence Receiving - incoming (room 206)	[ ]
11/21/2014 9:34:28AM	Evidence Receiving - incoming (room 206)	[ ]	Niazi, Cara	[X]
11/21/2014 9:34:30AM	Niazi, Cara	[X]	Hsiao, Christine	[X]
11/21/2014 11:06:56AM	Hsiao, Christine	[X]	DNA IQ - To Be Tested	[ ]
11/21/2014 1:52:03PM	DNA IQ - To Be Tested	[ ]	Morganti, Michael	[X]
11/21/2014 4:00:22PM	Morganti, Michael	[X]	FTA Buccal Known Storage	[ ]

Total number of transfers: 7

**ITEM # / DESCRIPTION: 012 Envelope with "Buccal swab Officer #218"**

<u>Date/Time of Transfer</u>	<u>From</u>	<u>PIN</u>	<u>To</u>	<u>PIN</u>
11/20/2014 8:37:36AM	Fuchs, Douglas	[ ]	Rosen, Penni S	[X]
11/20/2014 8:37:38AM	Rosen, Penni S	[X]	Evidence Receiving - incoming (room 206)	[ ]
11/21/2014 9:34:28AM	Evidence Receiving - incoming (room 206)	[ ]	Niazi, Cara	[X]
11/21/2014 9:34:30AM	Niazi, Cara	[X]	Hsiao, Christine	[X]
11/21/2014 11:06:58AM	Hsiao, Christine	[X]	DNA Knowns - Completed	[ ]
12/9/2014 8:57:13AM	DNA Knowns - Completed	[ ]	Tao, Ph.D., Jian	[X]
12/9/2014 1:24:48PM	Tao, Ph.D., Jian	[X]	Niazi, Cara	[X]
12/9/2014 1:24:50PM	Niazi, Cara	[X]	Evidence Receiving - outgoing (room 207)	[ ]
1/6/2015 1:03:05PM	Evidence Receiving - outgoing (room 207)	[ ]	Andrews, Cheryl	[X]
1/6/2015 1:03:07PM	Andrews, Cheryl	[X]	O'Donnell, Mark	[ ]

Total number of transfers: 10

**ITEM # / DESCRIPTION: 012-1 One FTA Buccal Card - Officer #218**

<u>Date/Time of Transfer</u>	<u>From</u>	<u>PIN</u>	<u>To</u>	<u>PIN</u>
11/20/2014 8:37:36AM	Fuchs, Douglas	[ ]	Rosen, Penni S	[X]
11/20/2014 8:37:38AM	Rosen, Penni S	[X]	Evidence Receiving - incoming (room 206)	[ ]
11/21/2014 9:34:28AM	Evidence Receiving - incoming (room 206)	[ ]	Niazi, Cara	[X]
11/21/2014 9:34:30AM	Niazi, Cara	[X]	Hsiao, Christine	[X]
11/21/2014 11:06:56AM	Hsiao, Christine	[X]	DNA IQ - To Be Tested	[ ]
11/21/2014 1:52:03PM	DNA IQ - To Be Tested	[ ]	Morganti, Michael	[X]
11/21/2014 4:00:22PM	Morganti, Michael	[X]	FTA Buccal Known Storage	[ ]

Total number of transfers: 7

**ITEM # / DESCRIPTION: 013 #13 Envelope with " Buccal Swab (Dick Aarons) elimination swab."**

<u>Date/Time of Transfer</u>	<u>From</u>	<u>PIN</u>	<u>To</u>	<u>PIN</u>
2/25/2015 2:34:00PM	O'Donnell, Mark	[ ]	Andrews, Cheryl	[X]
2/25/2015 2:34:02PM	Andrews, Cheryl	[X]	Evidence Receiving - incoming (room 206)	[ ]
2/26/2015 10:58:36AM	Evidence Receiving - incoming (room 206)	[ ]	Andrews, Cheryl	[X]
2/26/2015 10:58:38AM	Andrews, Cheryl	[X]	Hsiao, Ph.D., Christine	[X]
2/26/2015 3:56:42PM	Hsiao, Ph.D., Christine	[X]	DNA Knowns - Completed	[ ]
3/2/2015 2:49:58PM	DNA Knowns - Completed	[ ]	Morganti, Michael	[X]
3/2/2015 3:05:32PM	Morganti, Michael	[X]	Niazi, Cara	[X]
3/2/2015 3:05:34PM	Niazi, Cara	[X]	Evidence Receiving - outgoing (room 207)	[ ]
4/13/2015 11:15:43AM	Evidence Receiving - outgoing (room 207)	[ ]	Niazi, Cara	[X]
4/13/2015 11:15:45AM	Niazi, Cara	[X]	Dias, Christina	[ ]

NOTE: [X] indicates a secured transaction ( a PIN was entered )

Total number of transfers: 10

ITEM # / DESCRIPTION: 013-1		One FTA Buccal Card - Dick Aarons		
Date/Time of Transfer	From	PIN	To	PIN
2/25/2015 2:34:00PM	O'Donnell, Mark	[ ]	Andrews, Cheryl	[X]
2/25/2015 2:34:02PM	Andrews, Cheryl	[X]	Evidence Receiving - incoming (room 206)	[ ]
2/26/2015 10:58:36AM	Evidence Receiving - incoming (room 206)	[ ]	Andrews, Cheryl	[X]
2/26/2015 10:58:38AM	Andrews, Cheryl	[X]	Hsiao, Ph.D., Christine	[X]
2/26/2015 3:52:18PM	Hsiao, Ph.D., Christine	[X]	DNA IQ - To Be Tested	[ ]
2/27/2015 1:22:21PM	DNA IQ - To Be Tested	[ ]	Morganti, Michael	[X]
2/27/2015 2:37:45PM	Morganti, Michael	[X]	FTA Buccal Known Storage	[ ]

Total number of transfers: 7

ITEM # / DESCRIPTION: 013-RPT- Supplemental DNA report		1		
Date/Time of Transfer	From	PIN	To	PIN
2/25/2015 2:34:00PM	O'Donnell, Mark	[ ]	Andrews, Cheryl	[X]
2/25/2015 2:34:02PM	Andrews, Cheryl	[X]	Evidence Receiving - incoming (room 206)	[ ]
2/26/2015 10:58:36AM	Evidence Receiving - incoming (room 206)	[ ]	Andrews, Cheryl	[X]
2/26/2015 10:58:38AM	Andrews, Cheryl	[X]	Hsiao, Ph.D., Christine	[X]
2/26/2015 3:56:42PM	Hsiao, Ph.D., Christine	[X]	DNA Knowns - Completed	[ ]
3/2/2015 2:49:58PM	DNA Knowns - Completed	[ ]	Morganti, Michael	[X]
3/2/2015 3:05:32PM	Morganti, Michael	[X]	Niazi, Cara	[X]
3/2/2015 3:05:34PM	Niazi, Cara	[X]	Evidence Receiving - outgoing (room 207)	[ ]
3/19/2015 3:53:29PM	Evidence Receiving - outgoing (room 207)	[ ]	Rosen, Penni S	[X]
3/19/2015 3:53:31PM	Rosen, Penni S	[X]	Tao, Ph.D., Jian	[X]
3/19/2015 3:54:24PM	Tao, Ph.D., Jian	[X]	Rosen, Penni S	[X]
3/19/2015 3:54:26PM	Rosen, Penni S	[X]	Evidence Receiving - outgoing (room 207)	[ ]
4/13/2015 11:15:43AM	Evidence Receiving - outgoing (room 207)	[ ]	Niazi, Cara	[X]
4/13/2015 11:15:45AM	Niazi, Cara	[X]	Dias, Christina	[ ]

Total number of transfers: 14

ITEM # / DESCRIPTION: 014		Envelope with "Buccal swab sample-Bernice Satrinno"		
Date/Time of Transfer	From	PIN	To	PIN
5/6/2015 1:31:22PM	O'Donnell, Mark	[ ]	Rosen, Penni S	[X]
5/6/2015 1:31:24PM	Rosen, Penni S	[X]	Evidence Receiving - incoming (room 206)	[ ]
5/7/2015 8:36:43AM	Evidence Receiving - incoming (room 206)	[ ]	Dawson, Vivian	[X]
5/7/2015 8:36:45AM	Dawson, Vivian	[X]	Hsiao, Ph.D., Christine	[X]
5/7/2015 12:10:16PM	Hsiao, Ph.D., Christine	[X]	DNA Knowns - Completed	[ ]
5/14/2015 8:48:39AM	DNA Knowns - Completed	[ ]	Morganti, Michael	[X]
5/14/2015 8:59:33AM	Morganti, Michael	[X]	Niazi, Cara	[X]
5/14/2015 8:59:35AM	Niazi, Cara	[X]	Evidence Receiving - outgoing (room 207)	[ ]
5/20/2015 11:53:00AM	Evidence Receiving - outgoing (room 207)	[ ]	Dawson, Vivian	[X]
5/20/2015 11:53:02AM	Dawson, Vivian	[X]	O'Donnell, Mark	[ ]

Total number of transfers: 10

ITEM # / DESCRIPTION: 014-1		One FTA Buccal Card - Bernice Satrinno		
Date/Time of Transfer	From	PIN	To	PIN
5/6/2015 1:31:22PM	O'Donnell, Mark	[ ]	Rosen, Penni S	[X]
5/6/2015 1:31:24PM	Rosen, Penni S	[X]	Evidence Receiving - incoming (room 206)	[ ]
5/7/2015 8:36:43AM	Evidence Receiving - incoming (room 206)	[ ]	Dawson, Vivian	[X]

NOTE: [X] indicates a secured transaction ( a PIN was entered )

5/7/2015 8:36:45AM	Dawson, Vivian	[X] Hsiao, Ph.D., Christine	[X]
5/7/2015 12:10:14PM	Hsiao, Ph.D., Christine	[X] DNA IQ - To Be Tested	[ ]
5/12/2015 10:03:54AM	DNA IQ - To Be Tested	[ ] Morganti, Michael	[X]
5/12/2015 11:07:35AM	Morganti, Michael	[X] FTA Buccal Known Storage	[ ]

Total number of transfers: 7

**ITEM # / DESCRIPTION: 014-RPT- Supplemental DNA report 4**

1

<u>Date/Time of Transfer</u>	<u>From</u>	<u>PIN</u>	<u>To</u>	<u>PIN</u>
6/5/2015 1:32:30PM	O'Donnell, Mark	[ ]	Tao, Ph.D., Jian	[ ]
6/5/2015 2:52:13PM	Tao, Ph.D., Jian	[X]	Niazi, Cara	[X]
6/5/2015 2:52:15PM	Niazi, Cara	[X]	Evidence Receiving - outgoing (room 207)	[ ]
7/1/2015 12:07:34PM	Evidence Receiving - outgoing (room 207)	[ ]	Andrews, Cheryl	[X]
7/1/2015 12:07:36PM	Andrews, Cheryl	[X]	O'Donnell, Mark	[ ]

Total number of transfers: 5

**ITEM # / DESCRIPTION: 015 Envelope with "Buccal swab sample-Barbara Perry"**

<u>Date/Time of Transfer</u>	<u>From</u>	<u>PIN</u>	<u>To</u>	<u>PIN</u>
5/6/2015 1:31:22PM	O'Donnell, Mark	[ ]	Rosen, Penni S	[X]
5/6/2015 1:31:24PM	Rosen, Penni S	[X]	Evidence Receiving - incoming (room 206)	[ ]
5/7/2015 8:36:43AM	Evidence Receiving - incoming (room 206)	[ ]	Dawson, Vivian	[X]
5/7/2015 8:36:45AM	Dawson, Vivian	[X]	Hsiao, Ph.D., Christine	[X]
5/7/2015 12:10:16PM	Hsiao, Ph.D., Christine	[X]	DNA Knowns - Completed	[ ]
5/14/2015 8:48:39AM	DNA Knowns - Completed	[ ]	Morganti, Michael	[X]
5/14/2015 8:59:33AM	Morganti, Michael	[X]	Niazi, Cara	[X]
5/14/2015 8:59:35AM	Niazi, Cara	[X]	Evidence Receiving - outgoing (room 207)	[ ]
5/20/2015 11:53:00AM	Evidence Receiving - outgoing (room 207)	[ ]	Dawson, Vivian	[X]
5/20/2015 11:53:02AM	Dawson, Vivian	[X]	O'Donnell, Mark	[ ]

Total number of transfers: 10

**ITEM # / DESCRIPTION: 015-1 One FTA Buccal Card - Barbara Perry**

<u>Date/Time of Transfer</u>	<u>From</u>	<u>PIN</u>	<u>To</u>	<u>PIN</u>
5/6/2015 1:31:22PM	O'Donnell, Mark	[ ]	Rosen, Penni S	[X]
5/6/2015 1:31:24PM	Rosen, Penni S	[X]	Evidence Receiving - incoming (room 206)	[ ]
5/7/2015 8:36:43AM	Evidence Receiving - incoming (room 206)	[ ]	Dawson, Vivian	[X]
5/7/2015 8:36:45AM	Dawson, Vivian	[X]	Hsiao, Ph.D., Christine	[X]
5/7/2015 12:10:14PM	Hsiao, Ph.D., Christine	[X]	DNA IQ - To Be Tested	[ ]
5/12/2015 10:03:54AM	DNA IQ - To Be Tested	[ ]	Morganti, Michael	[X]
5/12/2015 11:07:35AM	Morganti, Michael	[X]	FTA Buccal Known Storage	[ ]

Total number of transfers: 7

**ITEM # / DESCRIPTION: 016 Envelope with "Buccal swab sample-VinTech EMT 15211"**

<u>Date/Time of Transfer</u>	<u>From</u>	<u>PIN</u>	<u>To</u>	<u>PIN</u>
5/6/2015 1:31:22PM	O'Donnell, Mark	[ ]	Rosen, Penni S	[X]
5/6/2015 1:31:24PM	Rosen, Penni S	[X]	Evidence Receiving - incoming (room 206)	[ ]
5/7/2015 8:36:43AM	Evidence Receiving - incoming (room 206)	[ ]	Dawson, Vivian	[X]
5/7/2015 8:36:45AM	Dawson, Vivian	[X]	Hsiao, Ph.D., Christine	[X]
5/7/2015 12:10:16PM	Hsiao, Ph.D., Christine	[X]	DNA Knowns - Completed	[ ]
5/14/2015 8:48:39AM	DNA Knowns - Completed	[ ]	Morganti, Michael	[X]
5/14/2015 8:59:33AM	Morganti, Michael	[X]	Niazi, Cara	[X]
5/14/2015 8:59:35AM	Niazi, Cara	[X]	Evidence Receiving - outgoing (room 207)	[ ]

NOTE: [X] indicates a secured transaction ( a PIN was entered )

5/20/2015 11:53:00AM	Evidence Receiving - outgoing (room 207)	<input type="checkbox"/> Dawson, Vivian	[X]
5/20/2015 11:53:02AM	Dawson, Vivian	<input checked="" type="checkbox"/> O'Donnell, Mark	[ ]
Total number of transfers: 10			

ITEM # / DESCRIPTION: 016-1 One FTA Buccal Card - VinTech EMT 15211			
Date/Time of Transfer	From	PIN	To
5/6/2015 1:31:22PM	O'Donnell, Mark	<input type="checkbox"/>	Rosen, Penni S
5/6/2015 1:31:24PM	Rosen, Penni S	<input checked="" type="checkbox"/>	Evidence Receiving - incoming (room 206)
5/7/2015 8:36:43AM	Evidence Receiving - incoming (room 206)	<input type="checkbox"/>	Dawson, Vivian
5/7/2015 8:36:45AM	Dawson, Vivian	<input checked="" type="checkbox"/>	Hsiao, Ph.D., Christine
5/7/2015 12:10:14PM	Hsiao, Ph.D., Christine	<input checked="" type="checkbox"/>	DNA IQ - To Be Tested
5/12/2015 10:03:54AM	DNA IQ - To Be Tested	<input type="checkbox"/>	Morganti, Michael
5/12/2015 11:07:35AM	Morganti, Michael	<input checked="" type="checkbox"/>	FTA Buccal Known Storage
Total number of transfers: 7			

ITEM # / DESCRIPTION: 017 #17 Envelope with " Buccal Swab (Georgetown FD.) G 46."			
Date/Time of Transfer	From	PIN	To
5/20/2015 11:50:43AM	O'Donnell, Mark	<input type="checkbox"/>	Andrews, Cheryl
5/20/2015 11:50:45AM	Andrews, Cheryl	<input checked="" type="checkbox"/>	Evidence Receiving - incoming (room 206)
5/20/2015 1:06:33PM	Evidence Receiving - incoming (room 206)	<input type="checkbox"/>	Rosen, Penni S
5/20/2015 1:06:35PM	Rosen, Penni S	<input checked="" type="checkbox"/>	Hsiao, Ph.D., Christine
5/20/2015 1:15:51PM	Hsiao, Ph.D., Christine	<input checked="" type="checkbox"/>	DNA Knowns - Pending
5/22/2015 10:02:03AM	DNA Knowns - Pending	<input type="checkbox"/>	Hsiao, Ph.D., Christine
5/22/2015 5:47:21PM	Hsiao, Ph.D., Christine	<input checked="" type="checkbox"/>	DNA Knowns - Completed
5/28/2015 1:19:10PM	DNA Knowns - Completed	<input type="checkbox"/>	Morganti, Michael
5/28/2015 1:28:52PM	Morganti, Michael	<input checked="" type="checkbox"/>	Rosen, Penni S
5/28/2015 1:28:54PM	Rosen, Penni S	<input checked="" type="checkbox"/>	Evidence Receiving - outgoing (room 207)
7/1/2015 12:07:34PM	Evidence Receiving - outgoing (room 207)	<input type="checkbox"/>	Andrews, Cheryl
7/1/2015 12:07:36PM	Andrews, Cheryl	<input checked="" type="checkbox"/>	O'Donnell, Mark
Total number of transfers: 12			

ITEM # / DESCRIPTION: 017-1 One FTA Buccal Card - (Georgetown FD.) G46			
Date/Time of Transfer	From	PIN	To
5/20/2015 11:50:43AM	O'Donnell, Mark	<input type="checkbox"/>	Andrews, Cheryl
5/20/2015 11:50:45AM	Andrews, Cheryl	<input checked="" type="checkbox"/>	Evidence Receiving - incoming (room 206)
5/20/2015 1:06:33PM	Evidence Receiving - incoming (room 206)	<input type="checkbox"/>	Rosen, Penni S
5/20/2015 1:06:35PM	Rosen, Penni S	<input checked="" type="checkbox"/>	Hsiao, Ph.D., Christine
5/20/2015 1:15:51PM	Hsiao, Ph.D., Christine	<input checked="" type="checkbox"/>	DNA Knowns - Pending
5/22/2015 10:02:03AM	DNA Knowns - Pending	<input type="checkbox"/>	Hsiao, Ph.D., Christine
5/22/2015 5:47:17PM	Hsiao, Ph.D., Christine	<input checked="" type="checkbox"/>	DNA IQ - To Be Tested
5/26/2015 10:37:44AM	DNA IQ - To Be Tested	<input type="checkbox"/>	Morganti, Michael
5/26/2015 11:38:09AM	Morganti, Michael	<input checked="" type="checkbox"/>	FTA Buccal Known Storage
Total number of transfers: 9			

ITEM # / DESCRIPTION: 017-RPT- Supplemental DNA report 5			
Date/Time of Transfer	From	PIN	To
6/10/2015 4:32:43PM	DNA Storage (room 206)	<input type="checkbox"/>	Tao, Ph.D., Jian
6/11/2015 9:31:17AM	Tao, Ph.D., Jian	<input checked="" type="checkbox"/>	Rosen, Penni S
6/11/2015 9:31:19AM	Rosen, Penni S	<input checked="" type="checkbox"/>	Evidence Receiving - outgoing (room 207)
7/1/2015 12:07:34PM	Evidence Receiving - outgoing (room 207)	<input type="checkbox"/>	Andrews, Cheryl
1			

NOTE: [X] indicates a secured transaction ( a PIN was entered )

7/1/2015 12:07:36PM Andrews, Cheryl

[X] O'Donnell, Mark

[ ]

Total number of transfers: 5

**ITEM # / DESCRIPTION: 018 #18 Envelope with " Buccal Swab (Georgetown FD.) G 54."**

<u>Date/Time of Transfer</u>	<u>From</u>	<u>PIN</u>	<u>To</u>	<u>PIN</u>
5/20/2015 11:50:43AM	O'Donnell, Mark	[ ]	Andrews, Cheryl	[X]
5/20/2015 11:50:45AM	Andrews, Cheryl	[X]	Evidence Receiving - incoming (room 206)	[ ]
5/20/2015 1:06:33PM	Evidence Receiving - incoming (room 206)	[ ]	Rosen, Penni S	[X]
5/20/2015 1:06:35PM	Rosen, Penni S	[X]	Hsiao, Ph.D., Christine	[X]
5/20/2015 1:15:51PM	Hsiao, Ph.D., Christine	[X]	DNA Knowns - Pending	[ ]
5/22/2015 10:02:03AM	DNA Knowns - Pending	[ ]	Hsiao, Ph.D., Christine	[X]
5/22/2015 5:47:21PM	Hsiao, Ph.D., Christine	[X]	DNA Knowns - Completed	[ ]
5/28/2015 1:19:10PM	DNA Knowns - Completed	[ ]	Morganti, Michael	[X]
5/28/2015 1:28:52PM	Morganti, Michael	[X]	Rosen, Penni S	[X]
5/28/2015 1:28:54PM	Rosen, Penni S	[X]	Evidence Receiving - outgoing (room 207)	[ ]
7/1/2015 12:07:34PM	Evidence Receiving - outgoing (room 207)	[ ]	Andrews, Cheryl	[X]
7/1/2015 12:07:36PM	Andrews, Cheryl	[X]	O'Donnell, Mark	[ ]

Total number of transfers: 12

**ITEM # / DESCRIPTION: 018-1 One FTA Buccal Card - (Georgetown FD.) G54**

<u>Date/Time of Transfer</u>	<u>From</u>	<u>PIN</u>	<u>To</u>	<u>PIN</u>
5/20/2015 11:50:43AM	O'Donnell, Mark	[ ]	Andrews, Cheryl	[X]
5/20/2015 11:50:45AM	Andrews, Cheryl	[X]	Evidence Receiving - incoming (room 206)	[ ]
5/20/2015 1:06:33PM	Evidence Receiving - incoming (room 206)	[ ]	Rosen, Penni S	[X]
5/20/2015 1:06:35PM	Rosen, Penni S	[X]	Hsiao, Ph.D., Christine	[X]
5/20/2015 1:15:51PM	Hsiao, Ph.D., Christine	[X]	DNA Knowns - Pending	[ ]
5/22/2015 10:02:03AM	DNA Knowns - Pending	[ ]	Hsiao, Ph.D., Christine	[X]
5/22/2015 5:47:17PM	Hsiao, Ph.D., Christine	[X]	DNA IQ - To Be Tested	[ ]
5/26/2015 10:37:44AM	DNA IQ - To Be Tested	[ ]	Morganti, Michael	[X]
5/26/2015 11:38:09AM	Morganti, Michael	[X]	FTA Buccal Known Storage	[ ]

Total number of transfers: 9

**ITEM # / DESCRIPTION: 019 #19 Envelope with " Buccal Swab (Georgetown FD.) G 311."**

<u>Date/Time of Transfer</u>	<u>From</u>	<u>PIN</u>	<u>To</u>	<u>PIN</u>
5/20/2015 11:50:43AM	O'Donnell, Mark	[ ]	Andrews, Cheryl	[X]
5/20/2015 11:50:45AM	Andrews, Cheryl	[X]	Evidence Receiving - incoming (room 206)	[ ]
5/20/2015 1:06:33PM	Evidence Receiving - incoming (room 206)	[ ]	Rosen, Penni S	[X]
5/20/2015 1:06:35PM	Rosen, Penni S	[X]	Hsiao, Ph.D., Christine	[X]
5/20/2015 1:15:51PM	Hsiao, Ph.D., Christine	[X]	DNA Knowns - Pending	[ ]
5/22/2015 10:02:03AM	DNA Knowns - Pending	[ ]	Hsiao, Ph.D., Christine	[X]
5/22/2015 5:47:21PM	Hsiao, Ph.D., Christine	[X]	DNA Knowns - Completed	[ ]
5/28/2015 1:19:10PM	DNA Knowns - Completed	[ ]	Morganti, Michael	[X]
5/28/2015 1:28:52PM	Morganti, Michael	[X]	Rosen, Penni S	[X]
5/28/2015 1:28:54PM	Rosen, Penni S	[X]	Evidence Receiving - outgoing (room 207)	[ ]
7/1/2015 12:07:34PM	Evidence Receiving - outgoing (room 207)	[ ]	Andrews, Cheryl	[X]
7/1/2015 12:07:36PM	Andrews, Cheryl	[X]	O'Donnell, Mark	[ ]

Total number of transfers: 12

**ITEM # / DESCRIPTION: 019-1 One FTA Buccal Card - (Georgetown FD.) G311**

<u>Date/Time of Transfer</u>	<u>From</u>	<u>PIN</u>	<u>To</u>	<u>PIN</u>
5/20/2015 11:50:43AM	O'Donnell, Mark	[ ]	Andrews, Cheryl	[X]
5/20/2015 11:50:45AM	Andrews, Cheryl	[X]	Evidence Receiving - incoming (room 206)	[ ]

NOTE: [X] indicates a secured transaction ( a PIN was entered )

5/20/2015 1:06:33PM	Evidence Receiving - incoming (room 206)	<input type="checkbox"/> Rosen, Penni S	[X]
5/20/2015 1:06:35PM	Rosen, Penni S	<input checked="" type="checkbox"/> Hsiao, Ph.D., Christine	[X]
5/20/2015 1:15:51PM	Hsiao, Ph.D., Christine	<input checked="" type="checkbox"/> DNA Knowns - Pending	[ ]
5/22/2015 10:02:03AM	DNA Knowns - Pending	<input type="checkbox"/> Hsiao, Ph.D., Christine	[X]
5/22/2015 5:47:17PM	Hsiao, Ph.D., Christine	<input checked="" type="checkbox"/> DNA IQ - To Be Tested	[ ]
5/26/2015 10:37:44AM	DNA IQ - To Be Tested	<input type="checkbox"/> Morganti, Michael	[X]
5/26/2015 11:38:09AM	Morganti, Michael	<input checked="" type="checkbox"/> FTA Buccal Known Storage	[ ]

Total number of transfers: 9

**ITEM # / DESCRIPTION: 020 #20 Envelope with " Buccal Swab (Georgetown FD.) G 95."**

<u>Date/Time of Transfer</u>	<u>From</u>	<u>PIN</u>	<u>To</u>	<u>PIN</u>
5/20/2015 11:50:43AM	O'Donnell, Mark	<input type="checkbox"/>	Andrews, Cheryl	[X]
5/20/2015 11:50:45AM	Andrews, Cheryl	<input checked="" type="checkbox"/>	Evidence Receiving - incoming (room 206)	[ ]
5/20/2015 1:06:33PM	Evidence Receiving - incoming (room 206)	<input type="checkbox"/>	Rosen, Penni S	[X]
5/20/2015 1:06:35PM	Rosen, Penni S	<input checked="" type="checkbox"/>	Hsiao, Ph.D., Christine	[X]
5/20/2015 1:15:51PM	Hsiao, Ph.D., Christine	<input checked="" type="checkbox"/>	DNA Knowns - Pending	[ ]
5/22/2015 10:02:03AM	DNA Knowns - Pending	<input type="checkbox"/>	Hsiao, Ph.D., Christine	[X]
5/22/2015 5:47:21PM	Hsiao, Ph.D., Christine	<input checked="" type="checkbox"/>	DNA Knowns - Completed	[ ]
5/28/2015 1:19:10PM	DNA Knowns - Completed	<input type="checkbox"/>	Morganti, Michael	[X]
5/28/2015 1:28:52PM	Morganti, Michael	<input checked="" type="checkbox"/>	Rosen, Penni S	[X]
5/28/2015 1:28:54PM	Rosen, Penni S	<input checked="" type="checkbox"/>	Evidence Receiving - outgoing (room 207)	[ ]
7/1/2015 12:07:34PM	Evidence Receiving - outgoing (room 207)	<input type="checkbox"/>	Andrews, Cheryl	[X]
7/1/2015 12:07:36PM	Andrews, Cheryl	<input checked="" type="checkbox"/>	O'Donnell, Mark	[ ]

Total number of transfers: 12

**ITEM # / DESCRIPTION: 020-1 One FTA Buccal Card - (Georgetown FD.) G95**

<u>Date/Time of Transfer</u>	<u>From</u>	<u>PIN</u>	<u>To</u>	<u>PIN</u>
5/20/2015 11:50:43AM	O'Donnell, Mark	<input type="checkbox"/>	Andrews, Cheryl	[X]
5/20/2015 11:50:45AM	Andrews, Cheryl	<input checked="" type="checkbox"/>	Evidence Receiving - incoming (room 206)	[ ]
5/20/2015 1:06:33PM	Evidence Receiving - incoming (room 206)	<input type="checkbox"/>	Rosen, Penni S	[X]
5/20/2015 1:06:35PM	Rosen, Penni S	<input checked="" type="checkbox"/>	Hsiao, Ph.D., Christine	[X]
5/20/2015 1:15:51PM	Hsiao, Ph.D., Christine	<input checked="" type="checkbox"/>	DNA Knowns - Pending	[ ]
5/22/2015 10:02:03AM	DNA Knowns - Pending	<input type="checkbox"/>	Hsiao, Ph.D., Christine	[X]
5/22/2015 5:47:17PM	Hsiao, Ph.D., Christine	<input checked="" type="checkbox"/>	DNA IQ - To Be Tested	[ ]
5/26/2015 10:37:44AM	DNA IQ - To Be Tested	<input type="checkbox"/>	Morganti, Michael	[X]
5/26/2015 11:38:09AM	Morganti, Michael	<input checked="" type="checkbox"/>	FTA Buccal Known Storage	[ ]

Total number of transfers: 9

**ITEM # / DESCRIPTION: 021 #21 Envelope with " Buccal Swab (Georgetown FD.) G 79."**

<u>Date/Time of Transfer</u>	<u>From</u>	<u>PIN</u>	<u>To</u>	<u>PIN</u>
5/20/2015 11:50:43AM	O'Donnell, Mark	<input type="checkbox"/>	Andrews, Cheryl	[X]
5/20/2015 11:50:45AM	Andrews, Cheryl	<input checked="" type="checkbox"/>	Evidence Receiving - incoming (room 206)	[ ]
5/20/2015 1:06:33PM	Evidence Receiving - incoming (room 206)	<input type="checkbox"/>	Rosen, Penni S	[X]
5/20/2015 1:06:35PM	Rosen, Penni S	<input checked="" type="checkbox"/>	Hsiao, Ph.D., Christine	[X]
5/20/2015 1:15:51PM	Hsiao, Ph.D., Christine	<input checked="" type="checkbox"/>	DNA Knowns - Pending	[ ]
5/22/2015 10:03:32AM	DNA Knowns - Pending	<input type="checkbox"/>	Hsiao, Ph.D., Christine	[X]
5/22/2015 5:47:21PM	Hsiao, Ph.D., Christine	<input checked="" type="checkbox"/>	DNA Knowns - Completed	[ ]
5/28/2015 1:19:10PM	DNA Knowns - Completed	<input type="checkbox"/>	Morganti, Michael	[X]
5/28/2015 1:28:52PM	Morganti, Michael	<input checked="" type="checkbox"/>	Rosen, Penni S	[X]
5/28/2015 1:28:54PM	Rosen, Penni S	<input checked="" type="checkbox"/>	Evidence Receiving - outgoing (room 207)	[ ]

NOTE: [X] indicates a secured transaction ( a PIN was entered )

7/1/2015 12:07:34PM	Evidence Receiving - outgoing (room 207)	<input type="checkbox"/> Andrews, Cheryl	[X]
7/1/2015 12:07:36PM	Andrews, Cheryl	<input checked="" type="checkbox"/> O'Donnell, Mark	[ ]
Total number of transfers: 12			

ITEM # / DESCRIPTION: 021-1		One FTA Buccal Card - (Georgetown FD.) G79	
Date/Time of Transfer	From	PIN	To
5/20/2015 11:50:43AM	O'Donnell, Mark	<input type="checkbox"/>	Andrews, Cheryl
5/20/2015 11:50:45AM	Andrews, Cheryl	<input checked="" type="checkbox"/>	Evidence Receiving - incoming (room 206)
5/20/2015 1:06:33PM	Evidence Receiving - incoming (room 206)	<input type="checkbox"/>	Rosen, Penni S
5/20/2015 1:06:35PM	Rosen, Penni S	<input checked="" type="checkbox"/>	Hsiao, Ph.D., Christine
5/20/2015 1:15:51PM	Hsiao, Ph.D., Christine	<input checked="" type="checkbox"/>	DNA Knowns - Pending
5/22/2015 10:03:32AM	DNA Knowns - Pending	<input type="checkbox"/>	Hsiao, Ph.D., Christine
5/22/2015 5:47:17PM	Hsiao, Ph.D., Christine	<input checked="" type="checkbox"/>	DNA IQ - To Be Tested
5/26/2015 10:37:44AM	DNA IQ - To Be Tested	<input type="checkbox"/>	Morganti, Michael
5/26/2015 11:38:09AM	Morganti, Michael	<input checked="" type="checkbox"/>	FTA Buccal Known Storage
Total number of transfers: 9			

ITEM # / DESCRIPTION: 022		#22 Envelope with " Buccal Swab (Georgetown FD.) G 53."	
Date/Time of Transfer	From	PIN	To
5/20/2015 11:50:43AM	O'Donnell, Mark	<input type="checkbox"/>	Andrews, Cheryl
5/20/2015 11:50:45AM	Andrews, Cheryl	<input checked="" type="checkbox"/>	Evidence Receiving - incoming (room 206)
5/20/2015 1:06:33PM	Evidence Receiving - incoming (room 206)	<input type="checkbox"/>	Rosen, Penni S
5/20/2015 1:06:35PM	Rosen, Penni S	<input checked="" type="checkbox"/>	Hsiao, Ph.D., Christine
5/20/2015 1:15:51PM	Hsiao, Ph.D., Christine	<input checked="" type="checkbox"/>	DNA Knowns - Pending
5/22/2015 10:02:03AM	DNA Knowns - Pending	<input type="checkbox"/>	Hsiao, Ph.D., Christine
5/22/2015 5:47:21PM	Hsiao, Ph.D., Christine	<input checked="" type="checkbox"/>	DNA Knowns - Completed
5/28/2015 1:19:10PM	DNA Knowns - Completed	<input type="checkbox"/>	Morganti, Michael
5/28/2015 1:28:52PM	Morganti, Michael	<input checked="" type="checkbox"/>	Rosen, Penni S
5/28/2015 1:28:54PM	Rosen, Penni S	<input checked="" type="checkbox"/>	Evidence Receiving - outgoing (room 207)
7/1/2015 12:07:34PM	Evidence Receiving - outgoing (room 207)	<input type="checkbox"/>	Andrews, Cheryl
7/1/2015 12:07:36PM	Andrews, Cheryl	<input checked="" type="checkbox"/>	O'Donnell, Mark
Total number of transfers: 12			

ITEM # / DESCRIPTION: 022-1		One FTA Buccal Card - (Georgetown FD.) G53	
Date/Time of Transfer	From	PIN	To
5/20/2015 11:50:43AM	O'Donnell, Mark	<input type="checkbox"/>	Andrews, Cheryl
5/20/2015 11:50:45AM	Andrews, Cheryl	<input checked="" type="checkbox"/>	Evidence Receiving - incoming (room 206)
5/20/2015 1:06:33PM	Evidence Receiving - incoming (room 206)	<input type="checkbox"/>	Rosen, Penni S
5/20/2015 1:06:35PM	Rosen, Penni S	<input checked="" type="checkbox"/>	Hsiao, Ph.D., Christine
5/20/2015 1:15:51PM	Hsiao, Ph.D., Christine	<input checked="" type="checkbox"/>	DNA Knowns - Pending
5/22/2015 10:02:03AM	DNA Knowns - Pending	<input type="checkbox"/>	Hsiao, Ph.D., Christine
5/22/2015 5:47:17PM	Hsiao, Ph.D., Christine	<input checked="" type="checkbox"/>	DNA IQ - To Be Tested
5/26/2015 10:37:44AM	DNA IQ - To Be Tested	<input type="checkbox"/>	Morganti, Michael
5/26/2015 11:38:09AM	Morganti, Michael	<input checked="" type="checkbox"/>	FTA Buccal Known Storage
Total number of transfers: 9			

ITEM # / DESCRIPTION: 023		#0003 Envelope with "one (1) druggist fold with physiological substance"	
Date/Time of Transfer	From	PIN	To
8/10/2015 3:35:28PM	Downs, Michael	<input type="checkbox"/>	Niazi, Cara
8/10/2015 3:35:30PM	Niazi, Cara	<input checked="" type="checkbox"/>	Evidence Receiving - incoming (room 206)
10/7/2015 8:50:48AM	Evidence Receiving - incoming (room 206)	<input type="checkbox"/>	Andrews, Cheryl
Total number of transfers: 3			

NOTE: [X] indicates a secured transaction ( a PIN was entered )

**Russell, Melanie**

---

**From:** Russell, Melanie  
**Sent:** Friday, August 28, 2015 2:26 PM  
**To:** Carreiro, Cheryl  
**Subject:** RE: possible quality issue

Is it ok with you for me to send the report? It's ready now. The actual protocol deviation (from our Work Instruction) was not having a negative control for the manipulations during the concentration process (which CL OK'd).

---

**From:** Carreiro, Cheryl  
**Sent:** Friday, August 28, 2015 8:20 AM  
**To:** Russell, Melanie  
**Subject:** RE: possible quality issue

Excellent ☺ thanks Mel

---

**From:** Russell, Melanie  
**Sent:** Friday, August 28, 2015 8:19 AM  
**To:** Carreiro, Cheryl  
**Subject:** RE: possible quality issue

Batch ppwk found, RB was quanted.

---

**From:** Carreiro, Cheryl  
**Sent:** Thursday, August 27, 2015 4:44 PM  
**To:** Russell, Melanie  
**Subject:** RE: possible quality issue

Ok good-  
I talked with Carll- he's gonna read the QAS and talk with me tomorrow

Thanks,  
CLC

---

**From:** Russell, Melanie  
**Sent:** Thursday, August 27, 2015 4:36 PM  
**To:** Carreiro, Cheryl  
**Subject:** RE: possible quality issue

I can't find the batch ppwk (JT may have it since he needed the quant info to concentrate, I left him a note) but based on other batches he did at the time, he appears to have been an RB-quoter.

---

**From:** Russell, Melanie  
**Sent:** Thursday, August 27, 2015 3:48 PM  
**To:** Carreiro, Cheryl  
**Cc:** Ladd, Carll; Bryant, Steven; Tao, Jian  
**Subject:** possible quality issue

Hi Cheryl, a few weeks ago JT concentrated 2 samples for case 14-1194. I was doing the analysis for the batch he amped them with, so I analyzed those samples too. I noticed that the RB was not concentrated and re-Amped with the samples. He concentrated and amped the RB the next day. All of the results were as expected based on the previous testing. Upon Tech Review, SEB noted that concentrating and amping in this way was a variation from protocol because there was no manipulation blank for the concentration of the samples. As there would have been no way to add a manipulation blank by the time the problem was discovered, and the conclusions regarding the concentrated samples were substantially the same as before, CL approved the variation. I was told to email you about it. The 2 concentration worksheets with note and initials added are attached. The report for these samples will be 14-1194 Sup6, which I'm planning to send tomorrow.

*Melanie Russell*

Forensic Science Examiner 1  
CT DESPP Division of Scientific Services  
278 Colony St, Meriden, CT 06451  
Phone: 203-694-6535  
Fax: 203-639-6485

**Tao, Jian**

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**From:** Tao, Jian  
**Sent:** Tuesday, June 09, 2015 10:41 AM  
**To:** 'modonnell@reddingpolice-ct.us'  
**Subject:** recent submissios of DSS-14-1194, 142477

Capt. Donnell

Recently, we analyzed 6 buccal samples collected at Georgetown Fire Department for the case shown in the subject line of this mail. Based on the names in the request form, they are all male names; but the DNA profile from item #22 is a female's. This potentially may become an issue in the future. Please take a look at the request form and let me know your findings.

Jian Tao

Tel. 203 427 4039

DNA Section

Lab #: 14-1194  
Date: 6/9/15  
Examiner: JT

MSG left to Capt. Mark O'Donnell.

Email sent to "modonnell@reddingpolice-ct.us"

Informed that 6 buccal samples <sup>recoded</sup> ~~labeled~~ w/  
JT

Male-like names in request form; but item  
#22 has been shown to be a female DNA  
profile.

Capt. Donnell called back and stated that

"Liam Bauer" should be "Lauren Bauer",  
which was a female's name.

Do you man

---

Case 3:16-cv-00534-RNC Document 85-6 Filed 11/08/18 Page 1 of 1  
Gad Gaddy Monday, February 3, 2014 at 10:00am EST

becca was all over me the other night at LY but i had to act uninterested since all the firehouse dudes were looking at me salty

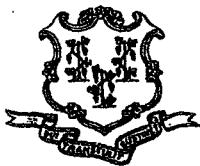
---

Gad Gaddy

Monday, February 3, 2014 at 10:02am EST

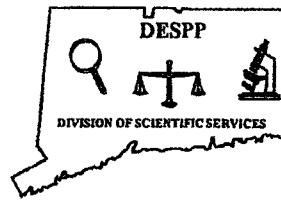
i had to leave to black car which is when i called you

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## STATE OF CONNECTICUT

DEPARTMENT OF  
EMERGENCY SERVICES and PUBLIC PROTECTION  
DIVISION OF SCIENTIFIC SERVICES



Guy M. Vallaro, Ph.D.  
Director

### DNA SECTION SUPPLEMENTAL DNA REPORT

**LABORATORY CASE #:** DSS-14-001194

**SUBMITTING AGENCY:** Redding Police Department  
96 Hill Rd  
Redding, CT 06875  
Xref: OCME

**AGENCY CASE #:** 14-2477  
Xref:14-05387

**DATE OF REQUEST:** 7/2/2014

**DATE OF REPORT:** 07/31/2014

---

#### EVIDENCE DESCRIPTION:

#1-1S1 Stain on Firearm – muzzle  
#1-1S2 Tissue-like material on Firearm – muzzle  
#1-1S3 Swabbing on Firearm – Trigger  
#1-1S4 Swabbing on Firearm – Grip  
#1-1S5 Swabbing on Firearm – Slide pull area  
#1-2S1 Stains on Magazine  
#1-2S2 Swabbing of Magazine

#7 Known buccal sample, Gugsa Dabela

#### RESULTS OF EXAMINATION:

1. DNA was previously extracted and analyzed from items #1-1S1, #1-1S2, #1-1S3, #1-1S4, #1-1S5, #1-2S1 and #1-2S2 (see DNA Report dated 06/26/2014). Extracted DNA obtained from item #7 was amplified by the AmpF/STR Identifier Plus procedure. STR alleles were separated and detected.

DSS-14-001194  
 14-2477  
 Xref:14-05387  
 Page 2

**SUPPLEMENTAL DNA REPORT**

2. The following results were obtained on the amplified items:

Identifiler Plus Alleles Detected

Item #	D8S1179	D21S11	D7S820	CSF1PO	D3S1358	TH01	D13S317	D16S539	D2S1338
1-1S1	15	29,31	8,10	11,12	15	7,8	11,12	11,12	23
1-1S2	15	29,31	8,10	11,12	15	7,8	11,12	11,12	23
1-1S3	10,11,13, 14,15	28,29,30	9,10	10,*	14,15,16, 17,18	6,7,9,9,3	8,10,11,13	9,11,12	17,21,*
1-1S4	15	29,31	8,10	11,12	15	7,8	11,12	11,12	23
1-1S5	10,13,14, 15	29,30,31	8,9,10	11,12	15,16	6,7,8,9,*	8,11,12	11,12,*	23
1-2S1	15	29,31	8,10	11,12	15	7,8	11,12,*	11,12	23
1-2S2	15,*	29,31	8,10	11,12	15	7,8	9,11,12,*	11,12	23
7	15	29,31	8,10	11,12	15	7,8	11,12,13	11,12	23

Item #	D19S433	vWA	TPOX	D18S51	AMEL	D5S818	FGA
1-1S1	12,15,2	15,18	8,9	12,13	X,Y	13	19,21
1-1S2	12,15,2	15,18	8,9	12,13	X,Y	13	19,21
1-1S3	12,13,14, 15	15,17,18	8,11	16,*	X,Y	10,11,12	19,21,23,*
1-1S4	12,15,2	15,18	8,9	12,13	X,Y	13	19,21
1-1S5	12,13,14, 15,2,*	15,17,18	8,9	12,13	X,Y	11,12,13	19,21
1-2S1	12,15,2	15,18	8,9	12,13	X,Y	13	19,21
1-2S2	12,14,15,2	15,18,*	8,9	12,13	X,Y	11,13	19,21
7	12,15,2	15,18	8,9	12,13	X,Y	13	19,21

\* = Additional minor peak(s) detected. NR = No Results.

3. Item #7 was retained at the Laboratory.

**CONCLUSIONS:**

4. Gugsa Dabela cannot be eliminated as the source of the Identifiler Plus DNA profiles from items #1-1S1, #1-1S2, #1-1S4, and #1-2S1. The expected frequency of individuals who cannot be eliminated as the source of the Identifiler Plus DNA profile (at all loci tested except D13S317) from items #1-1S1, #1-1S2, #1-1S4, and #1-2S1 is less than 1 in 7 billion in the African American, Caucasian, and Hispanic populations.

5. The Identifiler Plus results demonstrate that item #1-1S3 is a mixture. Gugsa Dabela is eliminated as a contributor to the Identifiler Plus DNA profile from item #1-1S3.

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14-2477  
Xref:14-05387  
Page 3

**SUPPLEMENTAL DNA REPORT**

**CONCLUSIONS  
CONTINUED:**

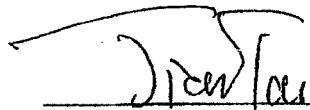
6. The Identifiler Plus results demonstrate that item #1-1S5 is a mixture. Gugsa Dabela cannot be eliminated as a contributor to the Identifiler Plus DNA profile from item #1-1S5. The expected frequency of individuals who cannot be eliminated as a contributor to the Identifiler Plus DNA profile (at all loci tested except D13S317) from item #1-1S5 is approximately 1 in 5.9 billion in the African American population, approximately 1 in 395.9 million in the Caucasian population, and approximately 1 in 3.1 billion in the Hispanic population.

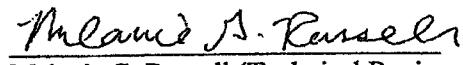
7. The Identifiler Plus results demonstrate that item #1-2S2 is a mixture. Gugsa Dabela cannot be eliminated as a contributor to the Identifiler Plus DNA profile from item #1-2S2. The expected frequency of individuals who cannot be eliminated as a contributor to the Identifiler Plus DNA profile (at all loci tested except D13S317) from item #1-2S2 is less than 1 in 7 billion in the African American, Caucasian, and Hispanic populations. The profile from item #1-2S2 is not appropriate for entry into the Connecticut and National DNA Databases.

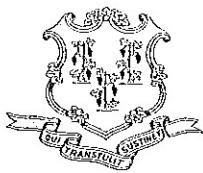
8. The profiles from items #1-1S1, #1-1S2, #1-1S3, #1-1S4, #1-1S5 and #1-2S1 are not appropriate for entry into the Connecticut and National DNA Databases.

9. A known sample from any suspect developed is requested for comparison to the evidentiary results.

**This report reflects the test results, conclusions, interpretations, and/or the findings of the analyst as indicated by their signature below.**

  
\_\_\_\_\_  
Jian Tao (Analyst)  
Forensic Science Examiner 1

  
\_\_\_\_\_  
Melanie G. Russell (Technical Reviewer)  
Forensic Science Examiner 1



STATE OF CONNECTICUT  
Department of Emergency Services and  
Public Protection  
Division of Scientific Services



278 Colony Street  
Meriden, CT 06451  
Telephone: 203-639-6400  
Fax: 203-639-6484

***Evidence Receipt***

Date: 5/20/15  
Time: 12:01 PM

LABORATORY CASE #: DSS-14-001194  
SUBMITTING AGENCY: Redding Police Department

AGENCY CASE #: 142477

TOWN (if applicable): Redding

RECEIVED AT LAB BY (Signature): 

Cheryl Andrews  
Evidence Control Officer

Submission #:	Description:
017	#17 Envelope with " Buccal Swab (Georgetown FD.) G 46."
018	#18 Envelope with " Buccal Swab (Georgetown FD.) G 54."
019	#19 Envelope with " Buccal Swab (Georgetown FD.) G 311."
020	#20 Envelope with " Buccal Swab (Georgetown FD.) G 95."
021	#21 Envelope with " Buccal Swab (Georgetown FD.) G 79."
022	#22 Envelope with " Buccal Swab (Georgetown FD.) G 53."

Agencies submitting evidence to the Division of Scientific Services for specific analysis agree to allow the Division to determine the appropriate methodology for the evidence submitted. Descriptions of analyses offered by the Division of Scientific Services are detailed on our website. If the Division needs to deviate from standard test methodologies you or your agency will be contacted prior to the analysis being performed. The Division reserves the right to use contract laboratories to perform case analysis as needed. This contract serves to inform you as the client of this potential event. In the event a contract laboratory is used the name and address of the contract laboratory will be stated on the laboratory report to the submitting agency. Any concerns or specific requests about the required testing can be discussed with the section Deputy Director or Laboratory Director prior to case analysis.

Barcode/Local No. Correspond   
DELIVERED TO LAB BY (Please Print):

*Capt. Mark O'Donnell*  
*Capt. Mark O'Donnell #103*

Lt. - Mark O'Donnell

DELIVERED TO LAB BY (Signature):

<b>STATE OF CONNECTICUT</b> DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION <b>DIVISION OF SCIENTIFIC SERVICES</b> 278 COLONY STREET, MERIDEN CT 06451 TELEPHONE (203) 639-6400 FAX (203) 639-6484			
---	--	--	--

**REQUEST  
FOR  
ANALYSIS**

**DSS-14-001194**

Redding Police Department 142477

Has evidence been previously submitted?				If "Yes", Laboratory Number: <b>DSS-14-1194</b>				Investigating Officer Requesting Analysis(Print Name): <b>Capt. Mark O'Donnell</b>					
Name & Address of Submitting Agency: <b>Redding Police Dept. 96 Hill Rd. Redding Ct. Telephone: 203-938-3400</b>				Type of Offense: <b>MVC, Fatal/Suicide</b>				Town of Incident: <b>Redding</b>					
								Date of Incident: <b>4-5-14</b>					
								Agency Case Number: <b>14-2477</b>					
Name of Victim (Last, First, M)		DOB	Race	Sex	Name of Suspect (Last, First, M)				Arrest Made?	DOB	Race	Sex	SPBI#
<b>Dabela, Gugsa A.</b>		<b>1-1-79</b>	<b>B</b>	<b>M</b>	<b>None</b>				<b>No</b>				

## Detailed Case History (or attach Police Report or Complete Search Warrant):

*Supp. Report Attached*

Information on Evidence Submitted		Type of Examination Requested (check box)										Respond: Yes or No			
Agency Item#/Exhibit#	Briefly describe the contents of each package of evidence	Arson/GSR	Biology/DNA	Firearms/Toolmarks	Imprints/Footwear	Latent Prints*	Quest. Docs	Trace	Controlled Substance	Toxicology**	Computer Analysis	Video/Audio	Other (Explain)	Was this evidence collected at the primary crime scene?	Was this evidence collected from the suspect's person or possession?
17	Buccal Swab (Georgetown FD) G48		<input checked="" type="checkbox"/>												
18	Buccal Swab (Georgetown FD) G54		<input checked="" type="checkbox"/>												
19	" " " " G 311		<input checked="" type="checkbox"/>												
20	" " " " G 95		<input checked="" type="checkbox"/>												
21	" " " " G 79		<input checked="" type="checkbox"/>												
22	" " " " G 53		<input checked="" type="checkbox"/>												

Property Crimes: Is total property loss or damage over \$2,000.00?

If "No", please contact the Laboratory prior to submitting the evidence

Person Submitting Evidence (Print Name): **Capt. Mark O'Donnell # 103**Date: **5-20-15**

\*All Latent Print non-porous evidence must be fumed prior to submission unless other arrangements have been made with the Laboratory.

\*\*DUI evidence should be accompanied with Form DPS-0009-C (Rev. 9/2013)

SOP-ER-02 (12/2013)

An Affirmative Action/Equal Opportunity Employer

Incident No.	Code	Additional NIBRS Codes				Redding Police Department
14-2477	06F MVA - Fatality					Incident Report
Youth Involved	Rpt Date	Rpt Time	Occurred On Date	Occurred To Date	Time	Supplemental 64
	4/13/2015	21:08	4/5/2014	139:00		215
Incident Location	Street	Apt	Intersection	Reporting Officer	Dispatcher	
Umpawaug Road		Mallory Lane		215 Peterson	551	

(Other Person) Discala, Nicole S: F R: W DOB: [REDACTED] 1988 42 Twitchgrass Rd , Fairfield ,CT

(Other Person) Elmendorf, Donald Work:203-287-3969 TD Bank Corporate Security

(Other Person) Barghaus, Peter Work:203-802-7559 Geico Insurance

(Other Person) Kennedy, John S: M R: W DOB: [REDACTED] 1959 Home:203-743-9122 16 Turkey Pln Rd , Bethel ,CT

(Other Person) Santos, Jeffrey S: M R: W Home:203-648-1855 85 Grassy Pln Rd , Bethel ,CT

(Other Person) Harper, Albert 45 Walker Rd , Lenox ,MA

(Other Person) Amorando, Jacob S: M R: W DOB: [REDACTED] 1993 12 Barnes Lanes , New Milford ,CT Lic #: [REDACTED]

Oper: DABELA, Gugsa A. S: Male DOB: 1/1/1979 8 Indian Hill Road Redding,CT Lic No.: 018971608  
CT

Owner: ABRAHAM DABELA & ASSOC LLC

, 4505 Queensbury Rd ,Riverdale,MD

(Accident) 2004 MERCEDES BENZ ML SUV GRAY Reg: AET44PMD VIN: 4JGAB57E54A476902

On 4/13/2015 I was requested by Sergeant Quinn to go to the Gerogetown Fire Department to meet with eight members to obtain a DNA sample. These individuals are William Ely, Donald Baker, Liam Bauer, Michael Heibeck, Micheal Ducey, Preston Boyd, Gregory Zap and Khalid Gourad. These are all members of the volunteer Georgetown Fire Department and respond to medical and fire call and all responded to the scene for this incident. I met with and obtained a DNA swab from six of these members. Preston Boyd and Gregory Zap were not present to submit a sample. The DNA swabs were individually collected and sealed with evidence tape and identified with each members GFD call number. They were brought back to the Redding Police Department by myself and left for Officer Dias as instructed.

Ofc  Prosecuto  Det  Yout  Records  Spec  Patrol  Traffic  Admi

se statement.

Subscribed and sworn to before me

Supervisor \_\_\_\_\_ This \_\_\_\_\_ Day of \_\_\_\_\_ 20 \_\_\_\_\_

ID

**DSS-14-001194**



Redding Police Department

142477

ID

Date  
Page 3

## Georgetown firefighters are raising money for Tunnel to Tower 5K

By Redding Pilot on September 17, 2014 in [Events](#), [Police & Fire](#) · 0 Comments

### About author



Redding Pilot



Georgetown volunteer firefighters Matt Billy, Frank Rizzo, Hal Gourad and Liam Bauer practice running in their full-gear for the Tunnel to Tower 5K in New York on Sept. 28. The men practiced by running a 5K in town last week.

Four Georgetown volunteer firefighters will once again run the Stephen Siller Tunnel to Tower 5K in New York on Sept. 28 in full turn-out gear.

The four firefighters, Matt Billy, Frank Rizzo, Hal Gourad and Liam Bauer, are raising awareness and money for the Stephen Siller Tunnel to Towers Foundation, where proceeds go to first responders and military service members who need assistance.

On Sept. 11, 2001, Stephen Siller, a firefighter from Park Slope, Brooklyn, had just gotten off the evening shift at Squad 1 when he heard about a plane hitting one of the towers of the World Trade Center. He then put on his gear and drove his truck to the Brooklyn Battery Tunnel, which was already closed to traffic. Instead of turning around, Mr. Siller ran through the tunnel to get to the towers while wearing all his gear that weighed about 60 pounds. Mr. Siller did not come back from the World Trade Center.

Mr. Gourad said the department has a goal to raise \$5,000 by Sept. 28.

To donate, visit [gtownfire.org](http://gtownfire.org) or stop by the firehouse Monday evenings at 7.

To learn more about the race visit [tunneletotowers.org/stephens-story](http://tunneletotowers.org/stephens-story).

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2. [Sponsor the book fair by purchasing custom balloons](#)
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4. [Redding Ridge Fire Department open house is Sunday](#)

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ESTATE OF GUGSA ABRAHAM DABELA, ET AL. vs TOWN OF REDDING, ET AL.  
Suzanna Ryan, MS, D-ABC on 10/11/2018

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF CONNECTICUT  
3  
4 ,ESTATE OF GUGSA ABRAHAM )  
5 DABELA, et al, )  
6 )  
7 Plaintiffs, )  
8 )  
9 vs. ) No. 3:16-cv-00534-RNC  
0 )  
1 TOWN OF REDDING, et al, )  
2 )  
3 Defendants. )  
4 )  
5 )  
6 )  
7 )  
8 )  
9 )

18

23 REPORTED BY:

24 Valerie C. Rodriguez  
25 CSR No. 12871 (orig 6980)

ESTATE OF GUGSA ABRAHAM DABELA, ET AL. vs TOWN OF REDDING, ET AL.  
Suzanna Ryan, MS, D-ABC on 10/11/2018

1	UNITED STATES DISTRICT COURT	Page 2	1	INDEX TO DEPOSITION OF SUZANNA RYAN, MS, D-ABC	Page 4
2	DISTRICT OF CONNECTICUT		2	OCTOBER 11, 2018	
3			3		
4	ESTATE OF GUGSA ABRAHAM )		4	EXAMINATION BY MR. ALTMAN	5
5	DABELA, et al., )		5	EXAMINATION BY MS. WINTERS	80
6	Plaintiffs, )		6	EXAMINATION BY MR. ALTMAN	83
7	vs. ) No. 3:16-cv-00534-RNC		7		
8	TOWN OF REDDING, et al., )		8	EXHIBITS	
9	Defendants. )		9	MARKED DESCRIPTION PAGE	
10			10	Exhibit Report of Suzanna Ryan, MS	
11			200		7
12			11		
13	VIDEO CONFERENCE DEPOSITION OF SUZANNA RYAN, MS, D-ABC,		Exhibit	Report on Forensic DNA Analysis.	
14	TAKEN ON BEHALF OF THE PLAINTIFFS, AT REGUS BUSINESS		12	201 by Michael J. Spence, Ph.D.	7
15	CENTER, 701 PALOMAR AIRPORT ROAD, SUITE 300, CARLSBAD,		13	Exhibit Investigation Report by Sgt.	
16	CALIFORNIA, COMMENCING AT 9:07 a.m. AND ENDING AT		202	Mark Davison	8
17	11:21 a.m. ON THURSDAY, OCTOBER 11, 2018, BEFORE VALERIE		14		
18	C. RODRIGUEZ, CERTIFIED SHORTHAND REPORTER NO. 12871		15		
19	(ORIGINALLY 6980).		16	INFORMATION REQUESTED: (None)	
20			17	DIRECTIONS NOT TO ANSWER: (None)	
21			18		
22			19		
23			20		
24			21		
25			22		
			23		
			24		
			25		
1	APPEARANCES:	Page 3	1	CARLSBAD, CALIFORNIA, THURSDAY, OCTOBER 11, 2018	Page 5
2			2	~~9:07 A.M.~~	
3	FOR PLAINTIFFS:		3	-000-	
4	EXCOLO LAW		4	SUZANNA RYAN, MS, D-ABC,	
5	BY: KEITH ALTMAN, ESQ.		5	having been first duly sworn,	
6	26700 LAHSER ROAD		6	was examined and testified as follows:	
7	SUITE 401		7	-00-	
8	SOUTHFIELD, MICHIGAN 48033		8	EXAMINATION	
9	248.291.9705		9	-00-	
10	KALTMAN@EXCOLOLAW.COM		10	BY MR. ALTMAN:	
11	FOR DEFENDANTS:		11	Q Good morning, Ms. Ryan. How are you today?	
12	HOWD & LUDORF, LLC		12	A Good morning. I'm fine. How about you?	
13	BY: KRISTA A. WINTERS, ESQ.		13	Q My name is Keith Altman. I'm the plaintiff's	
14	65 WETHERSFIELD AVENUE		14	counsel in this case. We've never met before; correct?	
15	HARTFORD, CONNECTICUT 06114		15	A Correct.	
16	860.249.1361		16	Q I've looked at your CV and you've obviously	
17	KWINTERS@HL-LAW.COM		17	testified many times in the past; correct?	
18	TGERARDE@HL-LAW.COM		18	A I have.	
19	(VIDEOCONFERENCE APPEARANCE)		19	Q How many times have you been deposed, actually	
20	ALSO PRESENT: (VIA PHONE)		20	deposed in a situation like this?	
21	ALBERT ASCIUOTTO		21	A When you say "situation like this," do you mean	
22	MADDY SINKOVICH		22	in a civil case?	
23			23	Q In any case where you've had an actual	
24			24	deposition as opposed to simply testifying on the stand.	
25			25	A Sure. Well, I worked in Florida in the past	

ESTATE OF GUGSA ABRAHAM DABELA, ET AL. vs TOWN OF REDDING, ET AL.  
Suzanna Ryan, MS, D-ABC on 10/11/2018

Page 6	Page 8
<p>1 and that's a deposition state. So I did probably about 2 20 depositions. Then probably another four or five in 3 addition to that since that time.</p> <p>4 Q How many civil depositions have you done?</p> <p>5 A That's probably the four or five that I was 6 referring to.</p> <p>7 Q What states did you do those in?</p> <p>8 A Well, I was in California. I can't remember. 9 One was Chicago, two were California. Now this one. I 10 can't recall the others.</p> <p>11 Q I'd just like to go over a few things. You 12 haven't actually been deposed that many times. This is 13 not an endurance test. Any time you think you need a 14 break, let me know, as long as there's no pending 15 question. We'll take a break as you need.</p> <p>16 One of the things that's really important and 17 it takes a lot of practice is for you to wait for me to 18 finish asking my questions, and for me to wait until you 19 finish answering my questions so get a clean record and 20 so that the court reporter doesn't get mad at either one 21 of us, particularly me. Okay?</p> <p>22 A Sure.</p> <p>23 Q You have to use verbal responses. Nods of the 24 head don't work. You have to say yes, no. Okay?</p> <p>25 A Gotcha; yes.</p>	<p>1 (S. Ryan Exhibit 202 was marked for 2 identification.)</p> <p>3 BY MR. ALTMAN:</p> <p>4 Q I believe you've seen that report before; 5 correct?</p> <p>6 A Yes.</p> <p>7 Q Ms. Ryan, to a reasonable degree of scientific 8 certainty, can you say that it's more likely than not 9 that Gugsa Dabela fired the gun involved in his death 10 the night he died?</p> <p>11 A We don't really use that term anymore, 12 "reasonable degree of scientific certainty." But -- no, 13 I can't say one way or the other based upon the DNA.</p> <p>14 Q Do you think that anybody who -- strike that. 15 Did you review all of Sergeant Davison's 16 reconstruction report or only the DNA portions?</p> <p>17 A I reviewed the entire thing just because I 18 wanted to know what all was in there. But my specialty 19 is solely with DNA analysis. So the other -- there were 20 other components of that report that I would not have an 21 opinion on.</p> <p>22 Q You said you don't use the term "to a 23 reasonable degree of scientific certainty." What is the 24 term of art these days that expresses the same context?</p> <p>25 A You know, I'm not sure. The only reason I say</p>
Page 7	Page 9
<p>1 Q If you don't understand a question, please let 2 me know. If you don't tell me that you don't understand 3 a question, I will assume that you do; okay?</p> <p>4 A Okay.</p> <p>5 MR. ALTMAN: I'm going to hand you what's been 6 marked as Exhibit 200, which I believe is a copy of your 7 report in this case.</p> <p>8 (S. Ryan Exhibit 200 was marked for 9 identification.)</p> <p>10 BY MR. ALTMAN:</p> <p>11 Q Could you please confirm that that is your 12 report.</p> <p>13 A Yes.</p> <p>14 MR. ALTMAN: I'm going to hand you what's been 15 marked as Exhibit 201 which is the expert report of 16 Dr. Michael Spence.</p> <p>17 (S. Ryan Exhibit 201 was marked for 18 identification.)</p> <p>19 MR. ALTMAN: I believe you reviewed that in 20 this case; correct?</p> <p>21 THE WITNESS: Yes.</p> <p>22 MR. ALTMAN: I'll hand you what I've marked as 23 Exhibit 202, the accident reconstruction report by 24 Sergeant Davison of the Connecticut State Police.</p> <p>25 ///</p>	<p>1 that is because it's been brought up a number of times 2 recently and some of -- there's a lot of discussion, 3 especially in other fields, about how certain we are 4 with our forensic results. And it's just come up a 5 number of times that it's not -- for whatever reason, 6 that's not really the way that it's expressed at this 7 point.</p> <p>8 Q Well, how would you express it?</p> <p>9 A I don't know.</p> <p>10 Q So sitting right here as an expert, you don't 11 know how to express the comfort level with your 12 conclusion?</p> <p>13 A Well, DNA is a little bit different. But then 14 you get into trace DNA. That's the issue. So I can 15 tell you, I can be confident in results when you have a 16 single source sample that's not a mixture. We can be 17 very confident in those results as far as if someone is 18 included or excluded.</p> <p>19 When you get into complex low-level mixtures, 20 that's where we have, you know, issues regarding, is a 21 person included or excluded and there's less certainty;</p> <p>22 Q Okay. You would agree that if a person touches 23 an object, it is more likely than not that they will 24 leave some of their DNA; correct?</p> <p>25 A No, I wouldn't agree with that. I would agree</p>

ESTATE OF GUGSA ABRAHAM DABELA, ET AL. vs TOWN OF REDDING, ET AL.  
Suzanna Ryan, MS, D-ABC on 10/11/2018

Page 10	Page 12
1 that you certainly can leave DNA behind and the tests 2 are getting much more sensitive. So we have a better 3 ability to detect low amounts of DNA. Unfortunately, 4 there's a huge amount of variability in what people -- 5 the amount of DNA that people can leave behind when they 6 touch something.  7 So they might leave some DNA behind. It might 8 not be detectable amounts.  9 Q Well, that's a different issue. 10 A Okay. 11 Q So let's be precise. 12 A Sure. 13 Q If somebody touches an object, there's two 14 choices: Either they leave some of their DNA behind or 15 they don't; right? 16 A Sure. I mean, if it's below a detectable 17 level, we don't know if it's there or not. I can't tell 18 you if it's there or not if it's below a detectable 19 level. 20 Q That's not what I'm asking you. 21 A On. 22 Q I'm not asking about detection. 23 A Okay. 24 Q If somebody handles an object, there's only two 25 possibilities: Either they are going to leave some of	1 Q I just want to be clear. You know of no study 2 that looked at the question that shows that a majority 3 of the people who handle an object leave an undetectable 4 amount of DNA behind or no DNA; right? 5 A That is correct. 6 Q So given that, wouldn't you expect that if 7 somebody touched an object, it is more likely than not 8 that they would leave DNA behind? 9 A Leaving detectable -- 10 Q I didn't say detectable. You're putting 11 detectable in it. 12 A But I can't answer that question without 13 knowing it's detected or not. 14 Q Well -- 15 A You can leave DNA behind and I wouldn't know if 16 it's so low that I can't get a result. 17 Q So as you sit here right now, you don't have 18 and expectation that if somebody handles an object, it's 19 more likely than not they'll leave DNA behind? 20 A No, I don't have that expectation because 21 there's too many variables with people that can leave 22 DNA behind or not leave DNA behind. So I can touch 23 something and maybe I'm not a person that tends to leave 24 a lot of DNA behind. You can swab there and not get my 25 DNA even though we have on video that I touched this.
Page 11	Page 13
1 their DNA or they're not going to leave some of their 2 DNA; right? 3 A Sure. 4 Q Putting whether you can detect it or not, you 5 would agree, it's more likely than not that if somebody 6 touches an object, they will leave some of their DNA 7 behind than leave none of their DNA behind; right? 8 A If I can't detect it, I don't know if they left 9 it behind or not. Those two go hand in hand. I mean, I 10 can't answer that question without talking about the 11 detection. There are detection limits. So if I can't 12 detect it, I don't know if they left DNA behind or not. 13 Q Do you know of any study that shows that a 14 majority of the people who handled an object did not 15 leave a detectable amount of DNA behind? 16 A Not a majority. There are studies that show 17 people that don't leave DNA behind when they touch 18 something. It's kind of all over the spectrum from 19 leaving no DNA to leaving DNA. 20 Q But I'm asking the majority. So you're saying 21 you know of no study that says a majority of people -- 22 A No, I don't know that, no. 23 Q Let me be clear. Let me finish that so we 24 can -- this is very important. 25 A Sure.	1 So that's a possibility. 2 Q I think we're missing each other. Just because 3 it's a possibility that an individual person may not 4 leave DNA behind, I'm asking a different question. 5 A Okay. 6 Q You would expect, though, that the majority of 7 people who touch an object would leave DNA behind; 8 right? 9 A People -- yes, sure. People tend to leave DNA 10 behind when they touch something. The levels of that 11 DNA are different. 12 Q That's fine. 13 A Okay. 14 Q So you would also agree then the failure to 15 detect DNA make it more likely than not the person did 16 not handle that object. 17 A In some instances, sure. 18 Q When would it be more likely than not that they 19 did handle the object? 20 A Again, because there are so many variables with 21 touch DNA, that's not an easy answer -- an easy question 22 to answer. Because people can touch things and leave 23 somebody else's DNA behind. People can touch things and 24 not leave DNA behind. 25 Those do tend to be the outliers and not the

ESTATE OF GUGSA ABRAHAM DABELA, ET AL. vs TOWN OF REDDING, ET AL.  
Suzanna Ryan, MS, D-ABC on 10/11/2018

1 typical result, but it can and does happen. So I can't 2 tell you a specific number or probability.	Page 14	3 Q I'm not -- let me put it this way: If you were 4 told that we tested -- and you're told to say this -- 5 and to pick the most likely -- well, strike that.	1 an object, you can't tell whether -- you can't -- strike 2 that.	3 The presence of DNA on an object could mean 4 that that person did not touch the object, but somebody 5 else transferred their DNA; right?	Page 16
6 The following answers, I want you to give me 7 the more likely answer. The person touched the object, 8 the person didn't touch the object. You get a result 9 that does not detect the person's DNA on the object.	6	10 Is it more likely that they touched the object 11 or more likely that they didn't touch the object?	6 A Yes, that's true.	7 Q So are you saying that if you have evidence of 8 somebody's DNA on an object, it's just as likely that 9 they didn't touch it as that somebody transferred their	7
12 A I do not feel that I can answer that with what 13 we know about touch and trace DNA, because I don't know 14 if that particular person tends to leave DNA behind or 15 not.	12	16 So if they are a person that doesn't leave a 17 lot of DNA behind, then it would be equally as likely 18 that they didn't leave DNA when they touched an object.	12 A It would depend upon the amount of DNA. Not 13 always on the amount, because sometimes -- this is -- 14 again goes back to variability of how much a person -- 15 how much DNA a person leaves behind. So I would want to	16 If there's an extremely large amount of DNA, it 17 would be more likely that it's a primary or direct 18 transfer. But what the studies indicate is that when 19 you have lower levels of DNA, there's no way to 20 determine if something is direct or indirect transfer.	13
19 Q You're getting into the individuals of that 20 person. All things being equal, you know nothing 21 specific about the person.	19	22 Wouldn't you agree that it's more likely they 23 didn't touch the object than that they did --	19 You can't look at that profile and say, oh, 20 that's a secondary transfer or, oh, that's directly 21 deposited. So that is true. Most of the time, it's 22 very difficult to determine if something is deposited 23 from direct contact or secondary.	20	21
24 A No.	24	25 Q -- if you didn't find DNA?	24	25	22
1 A No, I cannot answer that scientifically. I 2 can't.	1	3 Q I see. So you're saying that -- so, in other 4 words, you're saying that if you can't detect the DNA, 5 it's just as likely that they touched the object as they 6 didn't? Is that what you're saying?	1 Q Is there somewhat of a hard and fast threshold?	2 A No.	1
7 A Say it again, sorry.	7	8 Q Okay. So, are you saying, if you do not detect 9 a person's DNA on an object, you are saying that it's 10 just as likely that they touched the object as that they 11 didn't touch the object.	3 Q So basically what you're saying, any test that 4 deals with low levels of DNA means nothing?	5 A It doesn't -- I'm not saying it means nothing. 6 It -- in order for a person's DNA, even if it's 7 secondary transferred to an object, typically we would 8 expect if it was from someone's hands, they had to have 9 recent contact with that person to secondarily transfer 10 it.	2
12 A It would be based upon other scenarios and 13 factors. If -- if this object was a hundred miles away 14 and they had no access to it, then that's different. 15 But based solely on the DNA, I can't give you a specific 16 answer because there's too much variability with touch 17 DNA.	12	18 Q So what you're saying, then, is that that's the 19 only piece of information you have, it's just as likely 20 that they touched it as they didn't touch it?	11 Because if it is a transfer from the palm of 12 hand, like you and I shake hands and then I touch 13 something else, I could transfer your DNA to that item. 14 But if you and I shake hands and then five hours later 15 I'm touching something, it would be unlikely for me to 16 transfer your DNA because I've touched so many other 17 things that I've likely lost your DNA.	18 Does that make sense?	3
21 A Based upon what we know about touch DNA; yes. 22 Q Now, you talked briefly about somebody's -- may 23 transfer somebody else's DNA to an object; right?	21	24 A That's possible; yes.	19 Q Sure. What about if you touch lots of 20 different things in between?	21 A Right, that's exactly what I'm saying.	4
25 Q So does that mean that the presence of DNA on	25		22 Q For example, a wallet, a car door?	23 A Anytime -- sorry.	5

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1 A Made what less likely? 2 Q In you shook somebody's hands and then 3 subsequent that you touched somebody's wallet, I mean, 4 touched your wallet, then somewhere down the road, it 5 would make it less likely you would transfer their DNA 6 to a third object; right? 7 A Sure, yes. 8 Q After you touched the wallet, you touched your 9 money, that would make it even less likely; right? 10 A Yeah, it could. 11 Q After that you touched the door of a building 12 to get out, would make it even less likely; right? 13 A Well, yes, but you also have to understand that 14 you're also picking up DNA. If you touch a doorknob, 15 you're probably picking up DNA that was on that 16 doorknob. 17 Q I see. 18 A There's a back and forth transfer. You 19 probably left some of your DNA and whatever was on your 20 hand, you would pick up something, what was on there. 21 Q Your car door? 22 A Uh-huh. 23 Q That would make it less? 24 A Yes. 25 Q Your steering wheel, that would make it less;	1 days afterwards? 2 A It depends. You know, I mean, that is, 3 environmental insults are very detrimental to DNA. It 4 depends on how much starting material was there. 5 Typically, we would expect a large amount of DNA if it 6 had passed through the body. So it would certainly be 7 possible to get a DNA profile even after several days. 8 It would depend on exposure to the elements, did it 9 rain, UV light, things like that. 10 Q Do you know of any studies that has looked at 11 the degradation of DNA on an object such as a bullet 12 over time? 13 A So I looked for a particular study about DNA on 14 a bullet. No, I did not find that particular type of 15 study. Touch DNA, which would have less typically DNA 16 to begin with, would degrade and be completely -- no 17 result obtained at all after two weeks. Certainly if 18 you have a body fluid or tissue, it could last for 19 longer than that, I would expect. 20 Q But even if the DNA were not detectable after a 21 few days, you would still have biological material and 22 biological material is not going to vanish? 23 A I don't know. I wouldn't have -- I don't have 24 an answer for that. 25 Q But wouldn't you agree that if a bullet lacks
Page 19	Page 21
1 right? 2 A Sure. Again, the back and forth transfer would 3 be going on, but absolutely. But that's like, if there 4 was one particular person, not just kind of background, 5 general DNA mixture, but one particular person; yes, 6 absolutely. 7 Q You'd also agree that a bullet passing through 8 a human body is likely to pick up biological material 9 from the body; right? 10 A Typically, yes. 11 Q You would expect that to happen; right? 12 A Yeah, that's what the studies indicate, that as 13 that bullet is passing through, it's going to be picking 14 up tissue, blood, et cetera. 15 Q Particularly a hollow point, for example, that 16 has a -- 17 A Yes. 18 Q -- depressed area, you'd even expect it more 19 likely to pick up biological material? 20 A Yes. 21 Q You would agree that a bullet that lacks any 22 biological material on it is unlikely to have passed 23 through a human body, all things being equal; right? 24 A If it's collected right away, yeah. 25 Q What if it's checked sometime afterwards, a few	1 biological material on it, first of all, there's two 2 possibilities. It could either pass through the body or 3 it didn't; right? 4 A Correct. 5 Q If you picked up the bullet immediately after 6 it was fired and it lacked biological material, you'd 7 agree that it was unlikely to be the bullet that struck 8 a person; correct? 9 A I would agree. 10 Q Even after a few days, you would still agree 11 that it is unlikely if it has no biological material, 12 that it's unlikely to have passed through a body; 13 correct? 14 A Probably. Like I said, it would depend. If 15 this bullet were exposed to like a rainstorm, there was 16 a lot of rain, you know, that would be my caveat. Like 17 water, bacterial growth, things like that can definitely 18 have a hugely detrimental impact. But if that didn't 19 occur, it wasn't really hot out, then certainly you 20 would still be able to get DNA after a couple of days. 21 Q But you don't know any study, though, that has 22 looked at the degradation adopted by water, et cetera; 23 correct? 24 A I didn't say that. 25 Q Well, do you know of any study that has looked

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1 at a bullet --	1 that.
2 A None.	2 I looked at the notes from the analyst, but it
3 Q What it does to a bullet over time?	3 was unclear to me whether that middle hollow point was
4 A Sorry. Not a bullet, no.	4 swabbed. It seems likely that it would have been. I
5 Q So it's really speculation as you sit here now?	5 did look at her experience. She's a trained, you know,
6 A Well, I don't consider it speculation because	6 experienced analyst. I would expect that it was.
7 I'm an expert in forensic DNA. So tissues contain DNA.	7 There was just some conflicting information.
8 Blood contains DNA. So I do have an understanding or	8 Q I mean, I'm a general scientific guy too, and I
9 education about specifically DNA.	9 think it's reasonably common sense that the hollow point
10 On a particular object, not necessarily, but	10 is going to be the most likely place to accrete
11 the DNA is not going to behave differently if it's on a	11 biological material; correct?
12 bullet as opposed to a rock or a two-by-four or a knife	12 A I would expect that that area would have been
13 or something like that.	13 swabbed. Like I said, the only reason I bring it up as
14 Q Well, that's not necessarily true because the	14 a question was based upon a comment in the
15 composition of the material you're talking about, one is	15 reconstruction report.
16 a wood versus one is a metal object; correct?	16 Q Right. Now, can you say to a reasonable
17 A I'm telling you my opinion and my educated	17 degree -- whatever standards you want.
18 opinion of what I know about DNA. I'm not going to	18 A Uh-huh.
19 argue about it, like that's just an example.	19 Q To a reasonable -- can you say that it's more
20 Q I'm asking you for a scientific paper that has	20 likely than not Gugsa pulled the trigger that night?
21 looked at the question. You don't know of one.	21 A No.
22 A Not specifically on a -- well, actually, can I	22 Q Would it be -- you have a criminology
23 refer to my notes quickly.	23 background; correct?
24 Q Of course you can.	24 A I mean, it's -- yes, general, but it's specific
25 A Because I did try to -- there is a bread	25 to DNA. My specialization is DNA and that's what my
Page 23	Page 25
1 wrapper if you need it. Never know what I'm going to	1 training and experience has been in.
2 find in my bag.	2 Q I understand that. But do you think based
3 I did try to do some research specifically on	3 upon -- you read Sergeant Davison's report. Do you
4 bullets and, you know, as they pass through a person.	4 think it's a reasonable conclusion by anyone given the
5 That was certainly something I looked at and that I kind	5 circumstances, you obviously read them, that Gugsa
6 of already had an opinion on that and that helped kind	6 pulled the trigger that night, that it's more likely --
7 of solidify that opinion, especially with the hollow	7 MS. WINTERS: Objection to form.
8 point we would expect to see tissue and DNA.	8 BY MR. ALTMAN:
9 I'm just wondering if this particular study had	9 Q Strike that. Let me ask it a little better.
10 time passage or was the bullet outside. So that's what	10 Based upon your review of the reports and your
11 I'm looking at right now.	11 knowledge and expertise, do you think it's a reasonable
12 Okay. So the particular studies that I relied	12 conclusion for anyone to say that it is more likely than
13 upon, I don't -- I don't think that they discussed	13 not that Gugsa pulled the trigger that night?
14 necessarily a perforating bullet that had been left	14 MS. WINTERS: Objection to form.
15 outside for any extended time period.	15 THE WITNESS: But I can still answer; correct?
16 Q Okay. So you agree that the absence of	16 MR. ALTMAN: Yeah, yes.
17 biological material on the bullet in this case means it	17 MS. WINTERS: Yes.
18 unlikely that was the bullet that struck Gugsa Dabela;	18 THE WITNESS: That's not my job to determine.
19 correct?	19 As a -- I would not -- that's not my area of expertise.
20 A I think it makes it less likely. I would want	20 I don't do crime scene reconstruction. I look at DNA.
21 to know what the specific environmental conditions were	21 That's it. So that's not anything I could ever answer.
22 during that time period when it was outside before it	22 BY MR. ALTMAN:
23 was collected. Because I do think that that does have	23 Q But based solely on the DNA, you would say it
24 an impact and I would also want to know exactly where	24 would be unreasonable to say that Gugsa pulled the
25 the item was swabbed. I did have some questions about	25 trigger that night?

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1       A    No, I would not stay that.		1    more sensitive and we know that we can pick up other
2            MS. WINTERS: Objection to form.		2    people's DNA, it has -- it's not as useful, unless you
3    BY MR. ALTMAN:		3    have, you know, blood stains, things like that. You
4       Q    So you think it's a reasonable conclusion that		4    have a perpetrator's DNA on a victim that they don't
5    he pulled the trigger?		5    know each other, there should be no -- there's no reason
6       A    Yes.		6    for their DNA. That can be a linkage.
7       Q    Based on what?		7           When you have an object and you swab it and you
8       A    Based upon the fact that, number one, you don't		8    get a mixture of three, four, five different
9    always leave your DNA behind when you touch something.		9    individuals, it becomes not as useful, not as
10       Number two, I don't think the lab interpreted		10   informative. Absolutely.
11    the mixture properly and I think it's quite likely his		11   Q    Now, you'd agree one of the scenarios is Gugsa
12    DNA is probably present on that trigger.		12   did not touch the trigger that night, right?
13       Number three, talking about the bullet, there		13   A    Sure, that's a possibility.
14    is some DNA there. The lab chose to discontinue		14   Q    Another scenario is he did touch the trigger;
15    testing, but there is some DNA present on that item and		15   right?
16    I would love to see that concentrated and amplified and		16   A    Did touch the trigger?
17    see whose DNA is on that.		17   Q    Right.
18       Q    So you think it's more likely than not Gugsa		18   A    Yes.
19    actually pulled that trigger.		19   Q    You're saying, based on the DNA, you can't tell
20       A    That's not what I said.		20   which is which or which is more likely than the other?
21       Q    I just asked you -- well, okay.		21   A    That's correct.
22       A    You asked me the opposite and I didn't agree		22   Q    So it's more likely that Gugsa touched the
23    with that.		23   trigger and did not leave enough of his DNA behind than
24       Q    Right. Let's be clear, then. Is it more		24   he didn't touch the trigger?
25    likely than not Gugsa pulled the trigger that night?		25   A    I can't tell you which one is more likely. I
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1       A    I cannot say that.		1    just said that.
2       Q    Okay. So it wouldn't be a reason- -- based on		2       Q    So based on your experience now, you find it
3    the DNA, would it be a reasonable conclusion for anyone		3    close to as likely either way?
4    to say that it's more likely than not that Gugsa pulled		4       A    Yes, because I don't know if this individual
5    the trigger that night?		5    tends to leave DNA behind, how much DNA he leaves
6       A    I don't think that you can say --		6    behind. I also don't agree with the lab's conclusions
7            MS. WINTERS: Objection to form.		7    that he's 100 percent excluded. I -- well...
8       THE WITNESS: My opinion is, based upon the		8       Q    So you disagree with the lab?
9    DNA, you can't make a determination one way or the		9       A    I disagree with their conclusions. I'm not
10   other. That's not what the DNA is telling you or can		10   disagreeing with their results. I disagree with the
11   ever tell you.		11   conclusion that he is one -- that he is excluded.
12   BY MR. ALTMAN:		12   Excluded is 100 percent he is not present in that
13       Q    So you're saying that DNA can never tell you		13   mixture.
14    that somebody didn't touch an object?		14       When I look at the data, my conclusion would be
15       A    Wait, what?		15   that it is inconclusive because it is low-level data
16       Q    Are you saying that the DNA test can never		16   with dropout. I don't believe it was properly
17    conclude -- confirm that somebody did not touch -- that		17   interpreted.
18    somebody did not touch an object?		18       Q    You're saying excluded means 100 percent.
19       A    Correct.		19   That's not true. It means highly unlikely; correct?
20       Q    The presence of DNA cannot say for sure that		20       A    No, not in DNA -- not in the world of DNA
21    somebody did touch the object; right?		21   testing. Excluded means that person is not present on
22       A    That's true, not necessarily.		22   that item.
23       Q    So isn't DNA essentially useless except in the		23       Q    But that's always a statistical assertion.
24    most extreme conditions?		24       A    No. There's no statistics applied when you
25       A    I would tell you that as the testing has gotten		25   do -- when you have an exclusion. When you have an

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1 inclusion, then you apply a statistic to determine how 2 likely it is that it's their DNA or the probability that 3 their DNA is present. 4 Q So you're saying, it's possible to exclude a 5 person 100 percent, literally 100 -- 6 A I don't think -- 7 Q I'm saying, in general, there is the 8 possibility of excluding a person 100 percent? 9 A Yes. 10 Q Not one part in 10 trillion, but literally 11 100 percent? 12 A Exclusion is exclusion. They are not present. 13 Q Gotcha. By the way, a bit of common sense here 14 is if Gugsa -- you'd agree, if Gugsa did fire the gun 15 that night, he didn't commit suicide; right? 16 A I can't -- 17 Q Listen to my -- 18 A I have -- 19 Q Listen to my question -- 20 A I -- 21 Q Listen -- before you say it, just listen to my 22 question. If it turns out he did not fire the gun, he 23 could not have committed suicide by shooting himself in 24 the head with a gun; right? 25 A Okay, so -- sorry.	1 correct? 2 A Sure. 3 Q I want to be precise with my question, so bear 4 with me a second. 5 A Sure. 6 Q So you'd agree that if the DNA does not allow a 7 conclusion as to whether Gugsa pulled the trigger that 8 night, that there would have to be some other non DNA 9 evidence to allow you to conclude that he pulled the 10 trigger; right? 11 A No. There can be -- oh, non-DNA. I apologize; 12 yes. 13 Q There would have to be other additives 14 besides -- 15 A Sure. 16 Q Like if somebody watched him pulled the 17 trigger -- 18 A Sure, sure, sure. I was thinking you were 19 saying other DNA evidence. Yeah, no. There would -- 20 well, there should be some other -- I don't know. I 21 have a problem answering this because it's kind of 22 getting outside the realm of my expertise. 23 It would make sense in a police investigation 24 or some investigatory manner that there would be some 25 evidence of him pulling the trigger, sure.
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1 MS. WINTERS: Objection to form. 2 THE WITNESS: I apologize. Yes. If he did not 3 fire the gun, right, then he did not commit suicide. I 4 apologize. 5 BY MR. ALIMAN: 6 Q Okay. I mean, it's kind of a condition -- it's 7 kind of a condition precedent; right? 8 A That's -- that's a common sense sort of answer. 9 That doesn't have to -- yeah. 10 Q Right. So if you can't say for sure that he 11 fired the gun that night, you certainly couldn't with 12 any more precision say he committed suicide that night; 13 right? 14 A Absolutely. I cannot say. 15 Q But nobody could, not just you. Nobody could; 16 right? 17 A If he -- right; yes. 18 Q I mean, you can't -- this is not one of the 19 those circumstances where there's eight or ten factors 20 and you can compare them all together in reaching a 21 conclusion. This is a step. 22 In order to get to suicide, you have to get to 23 fire the gun, et cetera, and things like that. There 24 has to be a gun around. These are things, if any one of 25 them fails, the whole rest of the conclusion fails;	1 Q Now, in your report, if you'd flip to the last 2 page, page 14. 3 A Okay. 4 Q Conclusion number two. You wrote, "It is 5 entirely possible to touch a person or object and not 6 leave behind a detectable amount of DNA;" right? 7 A Yes. 8 Q Okay. Based on the, studies you reviewed, how 9 likely is that to happen? 10 A Every study that discusses touch and transfer 11 DNA has examples and instances where there's no DNA 12 detected. So it's a likely possibility. It doesn't 13 mean that every time. 14 So I don't have a specific number of, like, 15 percentage of samples. But every single study that 16 talks about touch transfer DNA has examples of no DNA 17 being detected. 18 Q I understand that. But a likely possibility, 19 that doesn't really say anything. That's not a -- how 20 probable is it. You're saying you can't say how 21 probable it is; right? 22 A Because there are other factors. That's why I 23 said detectable, because it's not just did they leave 24 DNA behind, but was it swabbed appropriately? Was the 25 right type of swab used? How did they extraction? Were

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1	there any errors in the extraction? Was the sample	1	A That's why I listed all those studies.
2	concentrated?	2	Q I understand, Ms. Ryan, but we're talking about
3	So there's all these other factors that lead up	3	overall, in a study, not just an isolated case report.
4	to, can we get a profile.	4	A I'm not talking about isolated case reports.
5	Q But I think you said before, you know of no	5	I'm talking about studies.
6	study that shows a majority --	6	Q I was talking about, but that's still a case
7	A That's true.	7	report within a study.
8	Q -- of the people?	8	Do you understand, when I say a case report,
9	Do you know any study that shows more than	9	you can always point to in any clinical trial of any
10	20 percent of the people left behind no detectable DNA?	10	kind, even when the chosen drug is efficacious, there
11	A I think that would probably be -- I would have	11	are still people for which the drug didn't work; right?
12	to do the research and find a particular one, but based	12	A Sure.
13	upon my review and understanding of touch and transfer	13	Q That's biological variability. That's kind of
14	DNA, I think that's a likely possibility, to find a	14	what we're talking about here; right?
15	paper where 20 percent did not leave a profile.	15	A Sure.
16	Q I'm not asking for a likely possibility, but	16	Q Talk about some people shed a lot of DNA and
17	that's not something that really -- do you know of any	17	some people don't.
18	paper that shows where a study was done, and a protocol	18	A Yes.
19	where they tried to be consistent approach, because I	19	Q So in any study, no matter what the overall
20	understand your concerns about how it was done, but a	20	results are, you can always find somebody that is
21	study that had a protocol, you know what I mean; right?	21	contrary to the conclusions of the study; right?
22	A Yes.	22	A Yes. But the studies are not showing just one
23	Q They had a specific setup?	23	person that's not leaving DNA. It is consistently
24	A Yes.	24	through every study, through multiple studies, it's not
25	Q Do you know of any study that shows that more	25	just one person. That is a known -- this is not like an
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1	than 20 percent of the people left behind no detectable	1	unknown thing in the field of forensic DNA testing.
2	DNA?	2	Sometimes you leave DNA behind and it's detectable and
3	A I would say yes, some of the earlier studies.	3	sometimes you can't detect it.
4	I would say now, later, as we get more and more	4	Q And I --
5	sensitive with the testing methodology, I'm not sure	5	A If you want, I can stop and let me go through
6	20 percent in the newer, more sensitive tests.	6	my studies and let's see if I can pull out a percentage
7	But I would not -- I'm trying to, you know,	7	for you with the ones that I have here.
8	I'm -- I read a lot of papers. I'm trying to think off	8	Q Well, maybe we'll come to that. But just
9	the top of my head studies that talk about specific	9	because you can find one and just because every study
10	percentages.	10	finds one does not mean that, overall, as I asked,
11	I would say -- I could probably do the research	11	20 percent of the people.
12	and find a paper between 10 to 20 percent of individuals	12	I mean, you would agree, there's a difference
13	who do not -- are not leaving a detectable profile.	13	between if 50 percent of the people leave no DNA says
14	Q But you don't know if such a paper exists?	14	one thing, if one percent of the people leave no DNA,
15	A I know some of the older studies and probably	15	that's a completely different conclusion; right?
16	some of the newer studies as well. I cannot point you	16	A Sure.
17	to a specific study at this juncture.	17	Q And even though -- and maybe it showed a couple
18	Q This is an important question in this	18	people left behind no DNA, the fact that it is one
19	particular case, isn't it?	19	percent means something very different than if it was
20	A Yes. And that's why I'm remarking that every	20	50 percent of the people; right?
21	single study talks about people leave behind DNA, people	21	A Sure.
22	leave behind no detectable DNA. It is not surprising.	22	Q Now, if the study -- if there's no study that
23	It is not -- if you look at any study on transfer of	23	shows that more than 20 percent, let's say, and I'm
24	DNA, you will see that.	24	throwing that number out there, of the people leave
25	Q I --	25	behind no DNA, you would agree that all things being

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<p style="text-align: right;">Page 38</p> <p>1 equal, you would have to say if an object didn't have a 2 person's DNA on it, it's unlikely they touched the 3 object; right?</p> <p>4 A I would not use the term "unlikely."</p> <p>5 Q Well, it's --</p> <p>6 A There might be a lower likelihood or lower 7 probability, but I would not use the term "unlikely" 8 because there's so many factors in touch DNA and so many 9 different variables that I couldn't answer that 10 question.</p> <p>11 Q I see. What if you weren't able to give those 12 results, you would still be able -- you will still just 13 say, no, I couldn't say one way or the other, even 14 though the vast majority of people leave behind DNA. 15 The fact that there's no DNA --</p> <p>16 MS. WINTERS: Objection to form.</p> <p>17 BY MR. ALTMAN:</p> <p>18 Q -- mean anything; correct?</p> <p>19 A You lost me on that one, sorry.</p> <p>20 Q So is what you're saying, that even if the 21 studies all show consistently that the vast majority of 22 people leave behind DNA, you wouldn't be able to say 23 anything about the absence of DNA on a particular object 24 with respect to a particular person?</p> <p>25 A That is true; yes.</p>	<p style="text-align: right;">Page 40</p> <p>1 they swab those objects, there was no DNA.</p> <p>2 BY MR. ALTMAN:</p> <p>3 Q But --</p> <p>4 A Sometimes there was transfer DNA from one 5 person to another to another that they never came into 6 directly contact. They touched the same jug of water or 7 jug of juice and they saw that transfer.</p> <p>8 So the point is, as a scientist, I cannot say 9 because someone's DNA is there, that means they didn't 10 touch it. I cannot stay that.</p> <p>11 Q But the vast majority of people when they touch 12 an object, they leave DNA behind; correct?</p> <p>13 A I don't agree with the vast majority.</p> <p>14 MS. WINTERS: Objection to form.</p> <p>15 THE WITNESS: I don't agree with that.</p> <p>16 BY MR. ALTMAN:</p> <p>17 Q More than 50 percent of the people who touch an 18 object leave behind their DNA; correct?</p> <p>19 A I would say that is likely, yes.</p> <p>20 Q More than 75 percent of the people who touch an 21 object leave behind their DNA.</p> <p>22 A I don't know about that.</p> <p>23 Q Okay. More than 50 percent of the time, the 24 presence of somebody's DNA on an object means they 25 touched the object; correct?</p>
<p style="text-align: right;">Page 39</p> <p>1 MS. WINTERS: Objection to form.</p> <p>2 MR. ALTMAN: Gotcha.</p> <p>3 BY MR. ALTMAN:</p> <p>4 Q In other words, all the scientific studies mean 5 nothing to you --</p> <p>6 A No.</p> <p>7 Q Let me finish my question.</p> <p>8 A Sure.</p> <p>9 Q -- because regardless of what the general 10 conclusions are, every case could be different anyway; 11 right?</p> <p>12 A No. Scientific --</p> <p>13 MS. WINTERS: Objection to form.</p> <p>14 THE WITNESS: Scientific studies actually do 15 mean a lot to me and I spend a lot of time reading them 16 because I think they are important to get a baseline 17 understanding of trace or touch DNA and what we as 18 scientists can expect or not expect to find.</p> <p>19 So it is important to look at those studies and 20 have an understanding that just because someone has 21 touched something does not mean they're going to leave 22 their DNA.</p> <p>23 There's a study where they have videotaped 24 experiments watching people. They know that these 25 people touched particular objects and sometimes when</p>	<p style="text-align: right;">Page 41</p> <p>1 A No. I can't say -- because someone's DNA is on 2 an object, I can't say that they directly contacted 3 that.</p> <p>4 Q I didn't say that.</p> <p>5 A You said touched.</p> <p>6 Q More than 50 percent of the time, would you 7 agree that if somebody's DNA is on the object, they 8 touched the object; right?</p> <p>9 A No.</p> <p>10 Q So you have studies that show that it is more 11 likely than when somebody's DNA is found on an object, 12 they did not touch the object?</p> <p>13 A No. I have studies --</p> <p>14 MS. WINTERS: Objection to the form.</p> <p>15 THE WITNESS: I have studies that show that 16 secondary transfer is a very real possibility and does 17 occur. So I cannot, as a scientist on the stand say, 18 because that person's DNA is on the object, they must 19 have had direct contact with that. I cannot stay that.</p> <p>20 BY MR. ALTMAN:</p> <p>21 Q Do you know of any study that says more than 22 50 percent of the time when somebody's DNA is found on 23 an object, they did not directly touch the object?</p> <p>24 A That's not the way the scientific studies work 25 in the forensic field. We're looking to see what</p>

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1 occurs, you know, based -- given a particular scenario 2 or experiment, what do we tend to see. And the results 3 are all over the place. Sometimes you see the person's 4 DNA that touched it. Sometimes they transfer someone 5 else's DNA. Most of the time, there's a mixture of DNA. 6 So I can't take one particular scenario and 7 say, because that person's DNA is on the object or is 8 not on the object, that that means they touched it or 9 did not touch it. I can't stay that. We cannot 10 scientifically say that.	1 Q And only transferred the secondary DNA. 2 A Okay. 3 Q Do you understand my question? 4 A Yes, I do. 5 Okay, let's see. Secondary transfer from knife 6 samples B, I, L, N, and X, which -- where the secondary 7 contributor was either the only contributor -- oh, it 8 says or the major contributor -- hold on. Let's see if 9 it tells me only the secondary transfer. 10 I apologize. I believe it was only one, but I 11 just want to -- since it's an important point here, I 12 want to make sure that I get the correct answer.
11 Q What question did I -- were you answering here? 12 Because I don't know if it's the same as the one I was 13 asking. 14 A Okay. 15 Q What question were you answering? 16 A I don't remember anymore. You can ask again. 17 Q Do you know of any study that says that more 18 than 50 percent of the time, when a person's DNA is 19 found on an object, it was because of secondary 20 transfer? 21 A Yes. 22 Q Where more than 50 percent of the people, it 23 was secondary transfer? 24 A Yes. 25 Q What study is that?	13 So I think it's just one where the main -- 14 well, this is major component. I don't think it 15 specifies. It talks about five samples where secondary 16 transfer was the most pronounced -- the secondary 17 contributor was either the only -- they had to have at 18 least one. 19 I'm sorry, I can take some time off the record 20 and re-read this, but my recollection was one. It talks 21 about five samples where the secondary contributor was 22 either the only contributor, the major contributor, but 23 I -- if you like, I can -- 24 Q Well, leave that on the side. 25 A Sure.
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1 A The Kale study. 2 Q That Kale study. Which one is that? 3 A I believe that that was one that I have 4 referenced, where they were seeing secondary transfer 5 multiple -- in multiple scenarios. It was with a knife. 6 Q And more than 50 percent of the time -- 7 A I can pull it up and double-check the 8 percentages. 9 Q Let's do that. 10 A Because that's not exactly what we do as far as 11 percentages, but I can certainly do that. 12 Q Let's do that because I think that's an 13 important one. 14 A Okay. Secondary transfer occurred in 17 of the 15 20 knife samples, 85 percent. 16 Q Can I see that? 17 A Four of those samples, no DNA was transferred 18 at all. 19 Q Where did you just read that? 20 A Secondary DNA transfer occurred in 17 of the 20 21 samples, which is 85 percent. 22 Q How many of those had no DNA, undetectable DNA 23 from the person who primary touched the gun -- primary 24 touched the knife? 25 A The knife?	1 Q I actually want to look at that paper for a 2 second. 3 A Sure. 4 Q Let me ask a parallel question. Several of the 5 first responders were swabbed for their DNA; right? 6 A Yes. 7 Q You'd agree that for the same reasoning that 8 you can't exclude that Gugsa touched the gun, you 9 couldn't exclude any of the first responders as well? 10 A I agree. I think that the profile is 11 inconclusive. 12 Q Is there any special training to do a buccal 13 swab? 14 A I don't know if it would be special training. 15 I mean, they do talk about -- there's some training. 16 You want to wear gloves. You want to use a sterile 17 buccal swab, sterile swab and -- a small amount of 18 training. I don't know if I would call it special 19 training or specialized training. 20 Q Can anybody just take one of the those things 21 and open it up and do it right? 22 A I hesitate to say anybody. I'm sure there's 23 someone who could mess it up. 24 Q Somebody, a reasonably intelligent person. 25 A Yes. I believe so, yes.

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1 Q	What's the ASCLD?	1 results; correct?
2 A	ASCLD. That's American Society of Crime	2 Yes, I think the results are inconclusive.
3	Laboratory Directors.	3 Q Based on what you know, how likely is it that
4 Q	Who are they?	4 somebody would transfer secondary DNA and none of their
5 A	Well, they are -- so there's ASCLD and	5 own to an object? Do you have anything besides the Kale
6 ASCLD/LAB. Are you asking me about the accreditation		6 study?
7 board or about --		7 A There are a couple other studies that indicate
8 Q	The accreditation board.	8 that. That is definitely less likely. Usually, you
9 A	So ASCLD/LAB is the laboratory accreditation	9 would see maybe a mixture of the person's DNA as well as
10 board of that organization. They've since merged with		10 the secondarily transferred DNA. So that's kind of an
11 another company that does audits. They audit forensic		11 outlier. It can occur, but certainly not as frequently.
12 laboratories.		12 Q Talking about the projectile, you say there was
13 Q	You're aware that -- ASCLD, is that what you	13 DNA on the bullet; right?
14 say?		14 A It was a very low amount, but there was some
15 A	ASCLD/LAB.	15 DNA detected; yes.
16 Q	The lab in Connecticut is ASCLD/LAB certified?	16 Q Using Quantifiler Duo; correct?
17 A	Yes.	17 A Yes.
18 Q	Does that mean as a general proposition, they	18 Q What does the Duo mean?
19 do things the right way?		19 A That you're looking for both male -- total
20 A	In general; yes.	20 amount of human DNA as well as is there any male DNA
21 Q	Do you have any evidence that ASCLD/LAB had any	21 present.
22 problems with the Connecticut lab?		22 Q You said that there was 72.5 picograms of male
23 A	I wasn't provided with that information. I	23 DNA.
24 know they're certainly accredited, so certainly nothing		24 A Can I refer to my report?
25 to the level of losing their accreditation or something.		25 Q Sure. Listen, the exact number doesn't matter.
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1 Q	Do you know if there have ever been complaints	1 It's a pretty small number; right?
2 to ASCLD about the Connecticut lab?		2 A Exactly.
3 A	I wouldn't know.	3 Q If it was 72.3, we're not going to quibble
4 Q	So you don't know?	4 over...
5 A	I do not know.	5 A Okay.
6 Q	Those labs are routinely subject to audits;	6 Q Do you know who John Butler is?
7 right?		7 A I do.
8 A	Right. Every five years is when the ASCLD/LAB	8 Q Were you aware that he said, when you get
9 audit is conducted.		9 measurements in the range of 10 picograms to
10 Q	Do you know anything about the last audit on	10 90 picograms, the estimates are notoriously widely
11 the Connecticut lab?		11 unreliable?
12 A	I don't. I was going to also say that every	12 A Sure. That's fair.
13 other year, there's another agency that comes in and		13 Q The 72.5 picograms, is that maybe about 12
14 does an audit, but I do not know of any issues with		14 cells?
15 audits.		15 A Yeah. That sounds right; yes.
16 Q	I think you alluded to this before, but anytime	16 Q The total DNA estimation was undetermined,
17 there's mixtures of low-level DNA, that creates		17 right?
18 interpretation problems; correct?		18 A Yes, that's correct.
19 A	It can, for sure.	19 Q Which means zero effectively; right?
20 Q	As the level of detection becomes lower, lower,	20 A So that would be in the -- what they call the
21 and lower, it becomes a bigger and bigger problem;		21 total human DNA. That came up as zero. There was some
22 correct?		22 very low detected level in the male specific
23 A	I would agree with that; yes.	23 quantitation; right.
24 Q	So you in essence disagree with the Connecticut	24 Q Males are human; right?
25 lab and Dr. Spence that Gugsa is excluded based on the		25 A Yes.

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1 Q Wouldn't you expect that if you found some male 2 DNA, you'd find some total human DNA?	1 more -- 2 Q -- that you --
3 A Well, that's a problem. You get to that low of 4 a level, it's not as reliable. So it could be that 5 that's a false reading. That's certainly possible when 6 you have that low amount. Or it could be just a few 7 cells worth of DNA, yeah.	3 A -- you would get a result, at least a partial 4 result when you have a reading of 72 and a half 5 picograms.
8 Q But it is a bit inconsistent that --	6 Q By the way, if somebody breathed on the bullet, 7 could that put that level of DNA on a bullet?
9 A That happens sometimes. There's two different 10 primers that are being used during the real-time PCR. 11 So it would be possible to have a result in one, either 12 in the human and not in the Y, or in the Y and not in 13 the human when you have levels that are that low.	8 A No, no. Maybe if they coughed on it, maybe, 9 but not just breathing on it.
14 Or when you have levels that low, it can be 15 just a background reading as well.	10 Q If they had a cold?
16 Q In other words, there is no DNA?	11 A If they touched it with their fingers and they 12 didn't have a glove on, it could.
17 A That's possible; yes.	13 Q They would probably leave more DNA than that if 14 they touched it?
18 Q So based on those readings and those results, 19 is it more likely than not that there's human DNA on 20 that bullet?	15 A No, not necessarily. Right?
21 A The problem is, I can't stay for sure because 22 quantitation is an estimation. So it's possible. You 23 know, what we've learned is that you can get a zero 24 reading and amplify it and get a DNA profile.	16 Q I understand. But probably they would leave 17 more DNA than that?
25 So I am one -- in my training, I've always	18 A No.
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1 moved forward with DNA testing regardless of the 2 quantitation results. And in this case, since we are 3 seeing an indication of possible DNA, you could move 4 forward and see if you're able to get a result.	1 been swabbed on the bullet, the DNA extract, so the 2 liquid that the DNA is in, that should have been 3 retained and, yes, that could be tested.
5 Q But as you know right now, okay, not with what 6 you might be able to do. I mean, first of all, you can 7 do that and find there's no DNA; right?	4 Q So what do they do when they concentrate it. 5 They just...
8 A Sure.	6 A So, you know, I think it was 50 microliters was 7 the original volume. That's about the size of a drop 8 from a medicine dropper. You can concentrate that 9 liquid, make -- basically you're evaporating some of the 10 liquid.
9 Q How often have you come across instances with 10 original readings that low and under amplification, you 11 find measurable DNA?	11 There's different ways to do it. Different 12 labs do it differently. But you would concentrate it 13 down to the maximum amount that you can put in the 14 amplification reaction, which it depends on what kit 15 they're using. But probably about 10 microliters.
12 A I just did a validation study at my laboratory. 13 We were getting results down to seven and a half 14 picograms of DNA.	16 All that's doing is making sure that you get -- 17 all of the DNA that is in that sample is then added to 18 the copying reaction. So there's a maximum amount you 19 can put in there. You can't put 50 microliters in. You 20 can only put 10 microliters or 15 microliters, depending on the kit.
15 Q Right.	22 Q So in other words, you're taking out the 23 excipients or whatever?
16 A So that's ten times as much. You could get a 17 result from that. It doesn't mean that you will. It is 18 low level.	24 A Taking out the what?
19 Q I'm asking how likely, how often does it 20 happen?	25 Q The excipients, the medium of exchange, for
21 A Every sample is different. I can't --	
22 Q In your --	
23 A I can't --	
24 Q You don't have a generalized --	
25 A At least 50 percent of the time, probably even	

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1 lack of a better term, whatever it is that you have the	1 that it would not immediately hit the body and destroy
2 DNA in --	2 any DNA that's present. You're likely to get a DNA
3 A Yes.	3 profile from that.
4 Q -- you're getting rid of the non-DNA portion of	4 BY MR. ALTMAN:
5 it?	5 Q I understand, but I'm just trying to -- because
6 A Yes. Basically it's in a liquid form, so	6 you commented on the temperature. I just want to take
7 you're just -- you're basically evaporating some of the	7 the temperature issue.
8 that liquid, so that instead of 50 microliters, now you	8 Is it fair to say that you really don't know
9 have the same amount of DNA but in a smaller amount of	9 what, if any, effect the temperature of the bullet had
10 liquid, so all of that can go in.	10 on the ability to accrete and retain DNA? Is that a
11 Q The issue with the temperature of the bullet.	11 fair statement?
12 A Yes.	12 A You're talking about the bullet specifically,
13 Q What was the temperature of the bullet as it	13 not the casing; correct?
14 passed through the skull?	14 Q Whatever passed through the skull.
15 A So there have been some studies that have been	15 A Okay, then the bullet. Yes, that is fair to
16 done on this, when -- I don't know when it went through	16 say. I am not necessarily an expert on bullets passing
17 the skull. When it's fired from the -- from the weapon	17 through bodies other than to say that I know you can get
18 itself, it does reach very high temperatures.	18 DNA from them. I know that heat can have an impact
19 Probably -- I could refer to my report, but --	19 certainly on DNA. But even that high of heat, we can
20 or to a journal references, but it's around a thousand	20 still get DNA sometimes from the casings.
21 degrees Celsius.	21 Q From the casings?
22 Q The front of the bullet?	22 A Yes.
23 A The bullet itself. I don't know, I would have	23 Q But we're talking about the bullet here.
24 to look at that and see if they're talking about the	24 A I understand that.
25 front of bullet or the casing.	25 Q There's no paper you read that talked about the
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1 Q So you think it's likely that the entire bullet	1 effect of temperature on the bullet as it passed through
2 itself gets to a thousand degrees from it being fired?	2 the body --
3 A I'm not sure. That's -- you know, I looked at	3 A No.
4 references to try to get an estimation for how hot that	4 Q -- on its ability to accrete DNA?
5 bullet gets when it is fired. But I don't have a	5 A No, that's correct.
6 specific knowledge of that other than what I've tried to	6 Excuse me.
7 research.	7 Q Do you need to --
8 Q So is it fair to say you have no idea what the	8 A No. It was from New York, so it's not from my
9 effective temperature was on this bullet in this case?	9 child.
10 A Right. So I can say the casing and when the	10 Q Been there, done that. I have four.
11 bullet is fired, what the research has shown, that it's	11 A I'm sure.
12 at least a thousand degrees Celsius. But this	12 Q I know all about it.
13 particular bullet, the head of the bullet versus the	13 A But thank you. I appreciate that.
14 casing of the bullet, I don't know.	14 MR. ALTMAN: Let's take a break.
15 Q Or what happens to the temperature as it passes	15 (Break in the deposition taken at 10:12 a.m.)
16 through the skull, you have no idea?	16 000
17 A Sure, that's true.	17 (The deposition resumed at 10:19 a.m.)
18 Q So is it fair to say you really can't say that	18 000
19 temperature had any effect on the ability for it to	19 BY MR. ALTMAN:
20 accrete DNA or not?	20 Q So coming back to conclusion two.
21 MS. WINTERS: Objection to form.	21 A Okay.
22 THE WITNESS: So, like we already discussed,	22 Q You say it's entirely possible to touch a
23 when a bullet passes through a body, there's a pretty	23 person or object and not leave behind a detectable
24 good likelihood you're going to get DNA from that	24 amounts of DNA; correct?
25 bullet. So that's all I can say about that. I know	25 A Yes.

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1 Q But you can't specify how probable that is;	1 A I would agree with that; yes.
2 correct?	2 Do you want me to add to that?
3 A I mean, not specifically, because there's --	3 Q Sure.
4 because of the individual variation in people. We can	4 A I would say that typically, it's most common to
5 look at -- like you had mentioned, looking at the	5 leave a mixture of your own DNA and someone else's DNA.
6 studies to try to get a percentage.	6 I would say that's probably the most -- either leaving
7 The study that I was just looking at is talking	7 your own DNA or a mixture of yours and someone else's is
8 about no profile and they looked at different age	8 probably the most common scenario.
9 groups. And it was -- this is -- but the problem is,	9 Q What is the likelihood of leaving detect -- you
10 they consider no profile to be less than 10 alleles.	10 know, interpretable amounts of somebody else's DNA and
11 Q What study is that, by the way?	11 not interpretable amounts of your own?
12 A Sure. Sorry. This is another one that's	12 A That does occur. I don't have a specific
13 referenced in my report. I don't know how you pronounce	13 number to give you. I think that's -- like I said,
14 her name, Micaela Poetsch, P-O-E-T-S-C-H. They were	14 that's probably a lesser likelihood, but we do know that
15 looking at different age groups and what they consider	15 it occurs and it occurs routinely because people leave
16 no profile. One- to four-year-olds, 20 percent left no	16 different amounts of DNA.
17 profile. 11- to 14-year-olds, 40-some percent left no	17 So if you happen to be a person that leaves a
18 profile.	18 lot of DNA and I happen to be one that doesn't and we
19 But again, I would agree with you that -- or	19 shake hands, then there could very easily be more of
20 add the caveat that they're saying no profile is less	20 your DNA on my hand to be transferred elsewhere.
21 than 10 alleles or types. So a little bit different	21 Q You would agree, along with conclusion number
22 than absolutely no DNA. But they're showing that of the	22 four, if this bullet didn't pass through Gugsa's head,
23 whole range, where you can get a full profile from	23 it is not the bullet that killed him; right?
24 touch, partial profile, or no results at all.	24 A Sure; yes.
25 Q Three, you say it's also possible for a person	25 Q You know, I'm just a bit curious. You talked
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1 to touch an object and leave their own DNA, a mixture of	1 about fingerprint analysis on page 4 of your report.
2 their own DNA, and foreign DNA, or to leave only another	2 Why did you even discuss fingerprint analysis at all if
3 individual's DNA on their item in question.	3 that's not your area?
4 A Right.	4 A Why did I discuss it? I discussed it because I
5 Q That's certainly a 100 percent possibility	5 know that it's possible at times to get a fingerprint
6 because those are the only three possibilities; right?	6 from an item that you can also get DNA from. So many
7 A Well, they can also not leave their DNA.	7 times, an item that is going to be tested for DNA is
8 Q Okay. That one is not here. That's fine.	8 also first processed for latent prints.
9 Assuming that DNA is left -- and I guess if you	9 Q I understand that. But why, I'm just -- you
10 took two and three, that would equal 100 percent?	10 know, given the fact that you said you really are only
11 A Sure.	11 in the DNA context why you would even talk about
12 Q Okay. And I think you said before, you would	12 fingerprints at all.
13 agree that more than 50 percent of people would leave	13 A Because many times, those items are then
14 some DNA; right?	14 submitted for DNA testing. So I need to be aware of the
15 A I think that's a fair assessment; yes.	15 types of items that could potentially -- or if an item
16 Q So of these three possibilities, can you	16 comes in and DNA is going to be done on it, then I might
17 quantify them, the probability of each one of the those?	17 need to talk to an investigator or whoever submitted the
18 A Not specifically, not without looking at a lot	18 item and say, well, are you sure you don't want latent
19 of studies and results from all the studies that I can	19 print analysis on this. Because once we swab it for
20 find and coming up with a specific number. So I guess	20 DNA, it destroys the latent print.
21 it would be possible. I don't have that number to give	21 Q I see. So when you criticized the laboratory
22 you right now, though.	22 testing, that's not the DNA lab's fault, that's the
23 Q But I think you did concede that the last	23 crime lab's fault?
24 choice, to only leave somebody else's DNA, that is much	24 A Yes, or it could be.
25 less likely?	25 MS. WINTERS: Objection to form.

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1        THE WITNESS: It could be the investigator	1        as to who fired the gun?
2    never requested DNA -- or excuse me, latent print	2        A    Yes.
3    testing.	3        Q    Okay. So if you're not sure who fired the gun,
4    BY MR. ALTMAN:	4    you can't be sure that he committed suicide, could you?
5        Q    Based on your experience, you think it was --	5        A    I --
6    it would have been reasonable to conclude that this was	6        MS. WINTERS: Objection to form.
7    a suicide before there had been any ballistic DNA	7    BY MR. ALTMAN:
8    testing, fingerprint testing, or an autopsy on the body?	8        Q    Listen. You're still involved in crime scene
9        A    I think that's not my area of expertise to do	9    stuff. If you can't say that a person fired a gun, you
10   any kind of crime scene reconstruction or make a	10   can't say with any more precision they committed
11   determination as to cause or manner of field. That's	11   suicide, right?
12   not my field.	12        A    I don't really think that's --
13        Q    I didn't ask you to make determinations. I'm	13        MS. WINTERS: Objection to form.
14   asking you, in the absence of all that information,	14        THE WITNESS: -- my area of expertise or what
15   based on your experience, do you think it would be	15   I'm here to be answering. I can answer you in a common
16   reasonable to reach a conclusion as to the manner of	16   sense type of manner, but that's not my area of
17   death?	17   expertise.
18        MS. WINTERS: Objection to form.	18    BY MR. ALTMAN:
19        THE WITNESS: I don't feel like I know enough	19        Q    You see that almost the entire -- by the way,
20   about investigations and how they're carried out. I	20   do you agree with Sergeant Davison's conclusion there,
21   don't know. And I don't know what was done specifically	21   because it's almost entirely based on the DNA evidence?
22   in this case.	22        A    I would agree, because the DNA cannot tell you
23        Typically, you would expect some sort of	23   who fired the gun either. So if that's -- you know.
24   investigation to occur before a determination is made.	24        Q    Well, the DNA also couldn't say who touched the
25   But again, that's not my --	25   trigger according to you; right?
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1        MR. ALTMAN: I understand.	1        A    Right.
2        THE WITNESS: I'm not a police officer	2        Q    You had to pull the trigger to fire the gun?
3    investigator. I don't know.	3        A    Yes. So the DNA cannot determine who pulled
4    BY MR. ALTMAN:	4    the trigger, who fired the gun.
5        Q    Sergeant Davison's report, starting on page 17,	5        Q    Well --
6    going through page 20, he attempts to answer the	6        A    Even if his DNA were on the trigger, I would --
7    question, was the recovered firearm fired by the	7    conclusively just his, I would say somebody else could
8    decedent. Do you see that?	8    have fired the gun. I can't say because a person's DNA
9        A    Yes.	9    is present on a trigger, that they fired a gun or did
10        Q    There's two hypotheses: The recovered firearm	10   not fire the gun.
11   was fired by the decedent, the recovered firearm was	11        Q    I mean, absence, you say, can't tell you it
12   fired by someone else; correct?	12   either?
13        A    Correct.	13        A    I can't, no.
14        Q    Now, you obviously read this because this	14        Q    So you'd agree, you can't say that any of the
15   discusses the DNA evidence; correct?	15   first responders didn't fire the gun; right?
16        A    Correct.	16        A    Sure. I can't say that.
17        Q    You see that it say "The data" -- page 20, "The	17        MS. WINTERS: Objection to form.
18   data evaluated in this framework does not provide a	18    BY MR. ALTMAN:
19   conclusive determination of who fired the recovered	19        Q    Page 20.
20   firearm."	20        A    Okay.
21        Did I read that correct?	21        Q    Did the recovered bullet inflict the decedent's
22        A    That's what it says.	22   head injuries -- hypothesis, the recovered bullet
23        Q    You read that; right?	23   inflicted the head injuries, the recovered bullet did
24        A    Yes.	24   not inflict the head injuries; correct?
25        Q    Do you interpret that to mean it's inconclusive	25        A    Yes.

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<p>1       Q   You would agree that from a DNA perspective, 2   you cannot say that this was the bullet that struck 3   Gugsa Dabela; right? 4       A   That's true. 5       Q   Talking about defects or any of that kind of 6   stuff, that's certainly not your area? 7       A   That's true. 8       MR. ALTMAN:  Let's go off the record. 9       (Break in the deposition taken at 10:32 a.m.) 10                   000 11                   (The deposition resumed at 10:40 a.m.) 12                   000 13   BY MR. ALTMAN: 14       Q   I just want to understand a little bit when you 15   were talking about the mixtures on the trigger and you 16   said something about there were two signals consistent 17   with Gugsa. 18       I wasn't quite sure that I understood exactly 19   what you were talking about. 20       A   So you're referring to my report? 21       Q   In your report, yeah? 22       A   All right.  So overall, I say that the profile 23   is inconclusive and should not be interpreted.  However, 24   what I was trying to point out was, I find it -- another 25   reason why I am surprised that he is -- has been</p>	<p>Page 66</p> <p>1   case, it would be unreasonable to -- this was the only 2   evidence was this DNA evidence -- that would be 3   inadequate to convict?  I mean a jury could do what they 4   want. 5       MS. WINTERS:  Objection to form. 6   BY MR. ALTMAN: 7       Q   Do you understand from a scientific 8   perspective, it would be inadequate scientifically to 9   convict? 10      MS. WINTERS:  Object to the form. 11      THE WITNESS:  Yes, because the results are 12   inconclusive in my opinion. 13   BY MR. ALTMAN: 14       Q   Now, if it were 90 percent likely that it was 15   him, that's not an inclusive result? 16       A   That's not how we do testing. 17       Q   I understand -- 18       A   I can't -- I understand what you're trying to 19   ask me.  We can't express in that way.  The way that we 20   give weight to our conclusion, if they had made an 21   inclusion, then you would do a statistical calculation 22   that would inform the person of, okay, how likely is it 23   that I could find another person that would also be 24   included in this mixture. 25       But I don't think that that's necessarily the</p>
<p>Page 67</p> <p>1   100 percent excluded, according to the laboratory, 2   because at all loci tested, except for two, his DNA 3   types consistent with him are present. 4       So that's what the two loci -- there were two 5   loci where -- or two DNA types that he is known to have 6   that are not present in the mixture. 7       Now, I would say that's not really the way we 8   interpret mixtures.  I'm not saying that he should be 9   definitely included.  I'm saying the results are 10   inconclusive, but pointing out that he's already been 11   excluded by the lab and yet nearly all of his DNA types 12   are present in that mixture. 13       Q   Now, what does inconclusive mean?  Let me ask 14   it in this context.  If it was 80 percent likely that 15   his DNA is there, is that still inconclusive because 16   there's 20 percent probability it's not? 17       A   That's not the way we would do it.  In the 18   forensic testing world, inconclusive means I cannot make 19   a comparison.  I can neither include nor exclude because 20   the data is not necessarily reliable, maybe it's too low 21   level, there's too many contributors.  I cannot make a 22   conclusion. 23       Q   So do you think it would be fair to say that if 24   this happened to be a crime, and let's say this gun was 25   used to shoot somebody and Gugsa was being tried for the</p>	<p>Page 69</p> <p>1   right way either, because we know there's dropout. 2   There's DNA present that is so low level that we're not 3   seeing everything; right?  That's why the lab was asked 4   to do STRmix, the probabilistic genotyping and they 5   couldn't do it because they said there's actually 6   probably five people in this mixture. 7   BY MR. ALTMAN: 8       Q   By the way, we talked about that Kale study. 9   But do you know of any study that talks about secondary 10   transfer of more than one person? 11       A   Yes.  So typically, when you have secondary 12   transfer, you're not necessarily just seeing one person 13   and they do talk about -- even in that study, they talk 14   about the transfer of foreign DNA type. 15       So they have the two people involved in the 16   study.  They knew their DNA profiles.  Then on some -- 17   even in that study, on some of the samples, they were 18   seeing unknown -- you know, DNA types from other people 19   that were not involved in the study. 20       So that would be a transfer of someone else's 21   DNA as well. 22       Q   But you don't know if that was transferred via 23   contact or if it was contamination; do you? 24       MS. WINTERS:  Objection to form. 25       THE WITNESS:  I mean, I guess that would be</p>

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1 true in any case. You can't -- you couldn't be 2 100 percent certain. I mean -- labs do sometimes have 3 contamination issues. I couldn't say for certain. 4 BY MR. ALTMAN: 5 Q I mean, you don't know of a study that did like 6 the Kale study that had somebody shake hands with more 7 than one person to see if they could pick up more than 8 one person's DNA and transfer it? You don't know of any 9 study that -- 10 A Yeah, there is one. Let me try to remember the 11 author, because that's exactly what they did. They had, 12 like, five different contacts to see how far does this 13 DNA transfer. Does it transfer to multiple individuals? 14 I'm trying to remember the author. Verdon 15 maybe, V-E-R-D-O-N. I could try to look and see if I 16 have -- I know I don't have that with me, no. 17 Q Is it on your list? 18 A No, it's not. I could -- I could look that up 19 and provide that for you. 20 Q I would appreciate that if you could send that 21 to Krista or Tom and ask them to forward it to me, I 22 would appreciate that. 23 A Sure, absolutely. 24 Q In your day-to-day work, do you deal with 25 p-values and statistical -- I'm not asking whether you	1 to look more at the raw data itself or how many of each 2 individual test subject showed, whatever the experiment 3 is set up to look for. 4 Also looking for, is it statistically 5 significant. 6 Q So you understand statistical significance? 7 A Somewhat; yes. 8 Q So you don't have to -- is there any 9 quantitative -- qualitative difference between one out 10 of ten and ten out of a hundred? 11 A You know, I mean, I don't know how to answer 12 that necessarily. I'm not a statistician. 13 Q Well -- 14 A It's the same proportion. 15 Q Right. 16 A I'm not sure exactly what you're asking. 17 Q Do you have a thought as to which one would 18 likely be more statistically significant, one out of ten 19 versus ten out of a hundred? 20 A I'm not prepared to answer that. 21 Q Do you know what a point estimate is? 22 A No. 23 Q Do you know when a confidence interval is? 24 A I do know what a confidence interval is. 25 Q What's your understanding of a confidence
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1 know how to calculate a p-value and stuff like that, but 2 do you routinely interpret results, statistical results 3 and p-values and compensatables in papers in which you 4 review? 5 A So, I mean that's not something in my 6 day-to-day work. If that is in published results, 7 that's something I'm going to look at and review, but 8 that's certainly not my expertise. I know statistics as 9 far as it applies to DNA testing, but I've had a 10 statistics class. 11 Q I don't mean that, but like in the Kale 12 paper -- there were some statistical results that were 13 mentioned in the Kale paper. I'm not asking if you know 14 how to calculate the results or whether they calculated 15 the results right or used the right methods, but do you 16 understand enough about statistics to interpret the 17 results you're being presented with in a paper such as 18 the Kale study? 19 A I would say in some instances, yes, and in 20 other instances, no, it's over my head. 21 Q So what do you do when you see a statistical 22 result in a paper you're reviewing? 23 A I mean, it's going to vary upon what the paper 24 is or what is the statistical result is. I mean, mostly 25 what I'm looking for is just kind of -- I look -- I tend	1 interval? 2 A So that's going to be -- a confidence 3 interval -- so typically, when we deal with it with DNA, 4 we're talking about YSTR testing and we apply 95 percent 5 confidence interval because the database -- this uses a 6 population database. It's specific -- you're looking at 7 the number of individuals, so it's a way to provide 8 confidence for sampling errors or any other issues with 9 a database so that you have a higher confidence in your 10 results because it's looking specifically at the number 11 of people that have this particular profile. 12 It's just a -- in the YSTR database, so instead 13 of just presenting the raw data of, okay, we saw this 14 profile once in X number of individuals, you apply the 15 confidence interval to help account for sampling error. 16 Q We deal with -- we dealt in sampling error or 17 stochastic error. It's kind of the same thing; correct? 18 A Sure, yeah. 19 Q I mean, it's random error; right? 20 A It's a random, yeah, in the amplification 21 reaction; yes. 22 Q And precision of the measurement. Same thing 23 when we were talking about the measurement on the 24 bullet, the true result could be zero and that's just 25 nothing more than random, random error; correct?

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1 A Right, the quantitation system is an estimate, 2 so that could be -- it could be less than that. It 3 could be zero. It could be more than that. It's an 4 estimation of the DNA.	1 conclusion; correct? 2 A Yes.
5 Q That's probably not 750; right?	3 Q Your conclusions have some degree of error or 4 you're concerned about what's the possible error in your 5 conclusion; correct?
6 A Probably not, no.	6 A (No audible response.)
7 Q So what do you think?	7 Q Or range of possibilities.
8 A It would be -- yeah, so it's an estimation. 9 We're trying to get as accurate and as close to the true 10 value as possible, but we know that -- it's a different 11 set of primers than what's used for the next step, 12 amplification step.	8 We talked about this before. No measure, 9 nothing is 100 percent precise. There's always a range 10 of possibility.
13 So sometimes you can get a result in the 14 quantitation stage and not get results when you amplify. 15 Sometimes you get nothing in quantitation and get a 16 result.	11 A Sure.
17 So if there was a variation, we're saying, I 18 think, 72 and a half picograms, I would not expect there 19 to be ten times more in actuality. It could be a little 20 bit more than that, a little bit less than that.	12 Q That's where we talked about confidence 13 intervals; right?
21 Q Well, it could be zero?	14 A Right. Well, that was -- that was in regards 15 to the YSTR database. There's -- I'll just let you ask 16 the question. I'm not sure where you're going with 17 that.
22 A Yes.	18 Q But in any result, any conclusion, there is 19 still a question -- the precision of that conclusion is 20 still of paramount importance when evaluating the weight 21 of the conclusion; correct?
23 Q So you think 72.5, plus or minus 72.5, is 24 reasonable?	22 A Sure, yes.
25 A It's reasonable. I don't have a -- you know,	23 Q That's always true; right?
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1 there's variation. When you have a low amount, you 2 don't know if you've put the true amount. You're taking 3 two microliters of that sample and putting it into the 4 quantitation reaction. So if you have a low amount in 5 the sample to begin with -- that's where those 6 stochastic effects come into play. You might not get 7 the true representation of what's in the sample. You 8 might get more, you might get less. So it is an 9 estimation.	1 the scientific method; right? 2 A Yes, right.
10 Q I understand that, but since you've agreed that 11 even though 72.5 could be really zero...	3 Q While your expertise is not general 4 criminology, but all of criminology effectively operates 5 under the same premises; right?
12 A Sure.	6 A I don't -- I don't know. All of criminology, 7 I don't think they all do the scientific -- they're not 8 in a laboratory.
13 Q Then at least at 72.5 --	9 Q Not necessarily a laboratory, but it's still 10 the scientific method. You have a hypothesis, you test 11 the hypothesis, you come up with a conclusion. It 12 doesn't matter --
14 A Sure.	13 A I don't know. I'm not a criminologist. I 14 don't know how they do their work.
15 Q -- plus whatever or at least minus 72.5; right?	15 Q So you don't coordinate your interpretations 16 with other individuals, other experts in other areas in 17 trying to help reach an overall conclusion; is that 18 correct?
16 A I think that's fair; yes.	19 A Not typically, no.
17 Q You consider yourself to be a scientist; 18 correct?	20 Q You say not typically. Does it ever happen?
19 A Forensic scientist; yes. I'm a scientist.	21 A Not -- I mean, I reach my conclusions and then 22 I might have discussions with an investigator or a 23 defense attorney or something like that. But the 24 conclusion is reached prior to that.
20 Q A scientist. You use the scientific method, 21 though it's still an inherent part of what you do every 22 day; right?	25 Q I get that.
23 A Yes.	
24 Q You deal with hypotheses, you deal with testing 25 or evaluation of a hypothesis, you come up with a	

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1 A Okay.		1 MR. ALTMAN: I think that's all I have.
2 Q But then, are you involved in discussions of	3 your overall conclusion in the context of other evidence	2 Krista, are you going to ask anything?
4 in a particular case?		3 MS. WINTERS: Yeah. I've got maybe two or
5 A I can't say never. But that's not really	6 typical, no.	4 three questions. Just give me a minute to collect my
7 Q You said you hadn't looked at anything other	8 than the DNA in this case; right?	5 thoughts.
9 A I don't know. I mean, I looked at the report,	10 the reconstruction report.	6 MR. ALTMAN: Take your time.
11 Q I know you literally looked at it, but in terms	12 of focusing on it --	7 EXAMINATION
13 A Oh.		8 -00-
14 Q -- interpreting it, you didn't pay really any	15 attention to the other aspects of this; correct?	9 BY MS. WINTERS:
16 A No, because that's not --		10 Q Dr. Ryan, earlier you were talking about some
17 MS. WINTERS: Objection to form.		11 older studies where approximately 25 percent of the
18 THE WITNESS: Yeah, that would be correct. I	19 was focused specifically on the DNA testing.	12 people tested did not leave detectable DNA.
20 BY MR. ALTMAN:		13 When you say older, how much older are we
21 Q So you're not going to give any opinions in	22 this case other than concerning DNA; correct?	14 talking?
23 A That's correct.		15 MR. ALTMAN: Objection to form.
24 Q And the interpretation of the DNA results;	25 correct?	16 THE WITNESS: So those were some of the first
		17 studies. So probably 2002 through 2007 would be some of
		18 the initial studies on trace and transfer DNA. The very
		19 first one was in 1997. Then it started kind of building
		20 up on that additional studies.
		21 And so the techniques that were used then are
		22 not -- were not as sensitive as today. So that's going
		23 to have an impact on the amount of DNA that can be
		24 detected.
		25 ///
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1 A Correct.		1 BY MS. WINTERS:
2 Q If somebody were to stand up and say, based	3 upon the DNA, Gugsa handled the trigger the night of his	2 Q I'll leave it at that. You don't have a
4 death, that would be an unreasonable conclusion based on	5 your interpretation of the DNA; right?	3 thought as to any more recent studies following I think
6 A That's -- yes.		4 you said 2007 that would give an estimate about what
7 Q If somebody were to stand up and say, this	5 percentage of the population does or does not leave a	5 detectable DNA trace; correct?
8 is -- based on the DNA, this is the bullet that struck		6
9 and killed Gugsa that night, that would also be an		7 A Well, I mean, that's something that could be
10 unreasonable interpretation of the data; correct?		8 researched and data compiled from a number of different
11 A That's correct.		9 studies. But you know, I had mentioned briefly the one
12 MS. WINTERS: Objection to form.		10 study that I brought with me, the Poetsch,
13 THE WITNESS: Because there is no -- there was		11 P-O-E-T-S-C-H, and they're talking about handprints and
14 no DNA result, so I wouldn't be able to say anything		12 different age groups of individuals.
15 about the bullet.		13 In that study, they were finding that for some
16 BY MR. ALTMAN:		14 reason, little kids under four years old, left the most
17 Q Well, I'm not asking what you would say. I		15 DNA behind, which actually does surprise me. Having
18 know what you would say. If somebody else were to		16 children, they touch everywhere and probably pick up
19 say --		17 DNA.
20 A I apologize.		18 Whereas the teenaged group up to about 15, they
21 Q Just to be clear, if somebody else were to say,	19 had almost 40 percent of the people leaving a handprint,	19
22 based upon the DNA evidence, this is the bullet that	20 they were getting either no results or very low results	20
23 struck and killed Gugsa Dabela that night, that would be	21 from that handprint.	21
24 an unreasonable conclusion; right?		22 So that's just one study. If you wanted an
25 A Yes. In my opinion; yes.		23 actually percentage, it would require looking kind of
		24 through all the studies and determining how many of the
		25 individuals that were tested, they were not getting DNA

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1 from.	1 bullet; right?
2 Q Thank you. You also testified regarding the	2 A Right; right. It was the male specific that
3 ultimate conclusion about whether or not somebody could	3 showed a measurable level.
4 say Mr. Dabela fired the gun that evening and whether or	4 Q But it doesn't make sense that there would be
5 not the bullet that was recovered was the bullet that	5 male DNA and not total, overall DNA?
6 killed Mr. Dabela.	6 A Well, when you have low amounts of DNA like
7 I just want to talk about that. You don't have	7 that, that is a possibility.
8 any interpretation of any non-DNA evidence; correct?	8 Q I understand it's a possibility. Let me put it
9 A (No audible response.)	9 to you this way: Can you say that it is more likely
10 Q You would not say it's unreasonable if someone	10 than not that the bullet had DNA on it?
11 else testified that Mr. Dabela had fired the gun based	11 A I think that there's a pretty good possibility.
12 on some non-DNA evidence that that person was	12 72 and a half picograms, while low level, is still a
13 interpreting?	13 measurable amount of DNA that we can get a profile from
14 A Right.	14 or a partial from. So I think that there's at least a
15 Q Is that correct?	15 slight likelihood that there's actually DNA on that
16 A That is correct. I would limit my opinion to	16 bullet.
17 just based upon the DNA evidence.	17 Q A slight likelihood?
18 Q The same would apply with regard to the bullet	18 A More likely than not is what I'm trying to say.
19 that was recovered and whether or not that was the	19 Q Despite the fact that there's zero total DNA on
20 bullet that killed Mr. Dabela?	20 the bullet?
21 You wouldn't have any opinion if somebody said,	21 A Zero total and 72 and a half picograms male.
22 based on other non-DNA evidence, that that was the	22 Q You think that means it is more likely than not
23 bullet that killed Mr. Dabela; correct?	23 there is DNA on the bullet?
24 A Correct, other than -- yes, other than the fact	24 A There's no way to say for sure without doing
25 that bullets that go through people's bodies tend to	25 amplification. But I think that there could very well
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1 collect their DNA. So that kind of does relate to my	1 be DNA. The only way to know is to move forward with
2 opinion on that where we have a DNA -- a bullet that	2 the amplification.
3 went through the body and while there's a low amount of	3 Q So as what you know right now, can you say that
4 DNA, we don't know whose DNA that is necessarily.	4 it is more likely than not that there's DNA on the
5 Sorry, I feel like I've answered that in a	5 bullet?
6 confusing manner.	6 A Yes. I think that there is; yes.
7 Q I might have asked it in a confusing manner, so	7 MS. WINTERS: Objection.
8 that's okay.	8 BY MR. ALTMAN:
9 A Do you want me to -- do you want to re-ask that	9 Q So you think that there is?
10 question or have me clarify in any way?	10 A That's as specific as I can get without doing
11 MR. ALTMAN: She's out of questions.	11 the amplification. As I've said, it's just an
12 MS. WINTERS: I think you answered it for me.	12 estimation. There could be no DNA.
13 Thank you.	13 Q I understand that --
14 Keith, do you have any more?	14 A I can't give you any more specific than that
15 MR. ALTMAN: I do.	15 other than that, in my opinion, the cases that I have
16 FURTHER EXAMINATION	16 done and worked on, I think that there's a pretty good
17 -ooo-	17 chance that there's DNA on there that could at least
18 BY MR. ALTMAN:	18 yield a partial profile.
19 Q On the bullet, there was some number of male	19 Q How many times have you come across a situation
20 DNA measured?	20 where the total DNA was zero and there was an measure, a
21 A Correct.	21 low lower measure of male DNA that turned out to
22 Q We agreed that there might actually not be any	22 actually have DNA?
23 DNA on that bullet; right?	23 A With the Quantifiler kit or Quantifiler Duo kit
24 A It's possible.	24 I've used in this case, it was pretty common. There
25 Q There also was no total DNA found on the	25 were numerous cases that I can think of that came up

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1 with zero DNA, and it's been reported in the literature 2 as well, that's a common thing to have occurred. 3 Q Does it happen more than 50 percent of the 4 time? 5 A I can tell you that when we used this kit in 6 the laboratory at FDLE, Florida Department of Law 7 Enforcement, we wanted to stop testing when the 8 quantitation kit said zero, but we found that we could 9 not do that because we got so many samples where we 10 actually had a typable profile if we moved forward. 11 So it's a common occurrence in those kits. 12 Q Does it happen more than 50 percent of the 13 time? 14 A I don't have a specific number to give you. 15 Q Do you know of any paper this discusses how 16 common it is to -- let me finish asking. 17 A Yes. 18 Q How common it is to get results just like we 19 have here and still have there be actual DNA on the 20 item? 21 A Not that specific. There are papers that talk 22 about the quantitation kit and that it is known that you 23 can have a zero quantitation result and still get 24 partial results up to a full profile. 25 Q I understand. But you'd agree, there would be	1 that. 2 Q Do you know what confirmation bias is? 3 A Yes. 4 Q Were you aware before any DNA testing was done, 5 this was already concluded to be a suicide? Were you 6 aware of that? 7 A I don't believe so. 8 MS. WINTERS: Objection to form. 9 THE WITNESS: I don't believe I was aware of 10 that. 11 BY MR. ALTMAN: 12 Q Did you know that within six hours of the 13 incident, before an autopsy had been performed, before 14 the bullet had been found, before any ballistics had 15 been done, before any witnesses had been interviewed, 16 that the police concluded -- without a witness, that the 17 police had concluded that this was a suicide? 18 Were you aware of that? 19 A I wasn't -- 20 MS. WINTERS: Objection to form. 21 THE WITNESS: -- wasn't aware of any specific 22 time frames. 23 BY MR. ALTMAN: 24 Q Would it surprise you that such a determination 25 was made in that context?
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1 a difference if that happens one out of a hundred times 2 versus, you know, 50 out of a hundred times. 3 A Right. And I cannot give you a specific 4 number. I know that it occurred enough that we could no 5 longer stop testing when the results showed zero 6 quantity. That meant that it was a pretty high 7 proportion of samples where the quantitation said zero 8 and we were able to get a profile, especially with 9 Quantifiler kit, Quantifiler Duo kit. 10 Q This is in a criminal context; right? 11 A Yes. 12 Q Criminal context, you need a much higher level 13 of confidence than you would in a civil context; 14 correct? 15 A I don't know. I treat all -- I don't -- this 16 case was tested in a criminal laboratory, in a 17 forensic -- you know, criminal forensic laboratory using 18 the same methodology as any other criminal case, so 19 there wouldn't be any difference... 20 Q How do you know that it was done with the same 21 exact methodology? 22 A Because I looked at all the protocols. 23 Q They didn't test for latent prints, like you 24 said; right? 25 A Not that I'm aware of; right. I could not find	1 MS. WINTERS: Objection to form. 2 THE WITNESS: I -- I -- I don't -- I don't know 3 because I don't do investigations. 4 BY MR. ALTMAN: 5 Q I understand, but you're still involved in 6 investigations generally. Would it surprise you that 7 that conclusion was reached before -- strike that. 8 Do you think it would be reasonable to conclude 9 that somebody had fired a gun before you did any DNA or 10 fingerprint testing of it? 11 MS. WINTERS: Objection to form. 12 THE WITNESS: It would depend upon the 13 circumstances of the particular crime and what you as an 14 investigator show up and observe. 15 BY MR. ALTMAN: 16 Q If there was no witness, you've come across a 17 person who is shot dead in the head in a car without a 18 witness, would it be reasonable to conclude that person 19 fired a gun before you checked fingerprints or DNA? 20 A I am not a criminal investigator. 21 MS. WINTERS: Objection to form. 22 BY MR. ALTMAN: 23 Q So you have no opinion based on your criminal 24 experience. 25 A No. I've never been trained as an

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1 investigator, how to do reconstruction, how to process a 2 scene -- you know, I'm not -- I'm not a... 3 Q Why bother doing DNA, then, if it doesn't 4 matter if you have the DNA to reach conclusions? Why 5 should you do DNA testing? 6 A Some samples are not necessarily useful, even 7 if you get a DNA profile from them. Other samples can 8 be. So guns are notoriously common to get unusable 9 mixtures of DNA. 10 Q That's not what my question was. 11 A Okay. 12 Q Is it reasonable to reach conclusions over if 13 somebody handled this gun before you tested the DNA or 14 before you tested fingerprints? 15 MS. WINTERS: Objection to form. 16 THE WITNESS: I am not a criminal investigator. 17 I just -- I don't know. I don't know. 18 BY MR. ALTMAN: 19 Q So then do you have any idea why people do DNA 20 testing? 21 A To see whose DNA might be present on an item of 22 evidence. 23 Q Why do you do that? 24 A Well, if you're talking about a rape case, to 25 determine who might have raped the person. If you're	1 overall investigatory scheme? 2 A I think in certain cases, absolutely, you would 3 want to see what the DNA results are. I don't know, I 4 don't investigate crimes. 5 Q I understand that. 6 A I think it would be -- I would tell you, as a 7 DNA analyst, I would think or like that the investigator 8 would take a look at those results and take those 9 into -- as part of his conclusions on the case. 10 Absolutely. 11 But I don't investigate cases. 12 Q I hear you. If you're sitting with a scale, 13 one hand you have that's the bullet that struck Gugsa, 14 and on this hand, you have that's not the bullet that 15 struck Gugsa. 16 Where would you place the interpretation that 17 it does not appear to be Gugsa's DNA on the bullet? 18 A Well; okay. I understand your question. I'm 19 going to answer that, but there are no DNA results from 20 the bullet, so I can't talk about his DNA specifically 21 on the bullet. 22 I can say, perforating bullets, we typically 23 see the person's DNA on those -- on that bullet. So in 24 that regard, one might expect to find his DNA had it 25 gone through his brain; right? The only issue I have
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1 talking -- you know, I mean what -- 2 Q Let's talk about a gun. Why would you ever 3 test a gun? 4 A So if you have an individual who has claimed to 5 never have had contact with that gun, never know anyone 6 else who may have contacted the person and then the gun 7 and you get the person's DNA profile on the gun, that 8 can be a link to that person. 9 But yeah, firearms are not the best item of 10 evidence to test because typically we get mixtures that 11 aren't useful. 12 Q I hear you. But aren't you supposed to wait 13 for the results of the DNA test before you reach 14 conclusions? 15 A Whose view -- 16 MS. WINTERS: Objection to form. 17 THE WITNESS: Whose -- 18 BY MR. ALTMAN: 19 Q Shouldn't an investigator wait for the results 20 of the DNA testing before reaching conclusions? 21 A I don't know. 22 MS. WINTERS: Objection to form. 23 THE WITNESS: I don't have an opinion on that. 24 BY MR. ALTMAN: 25 Q So you have no idea how your work fits into the	1 with that or the only caveat is that it was not 2 collected right away and I don't know what those 3 environmental conditions were prior to its collection. 4 Q But as you sit here right now, you have no 5 evidence that Gugsa's DNA is on that bullet; correct? 6 A That's correct. 7 Q You have no evidence -- strike that. 8 MR. ALTMAN: Nothing further. Got anything 9 else? 10 MS. WINTERS: I think I'm done, Keith. 11 Thank you, Dr. Ryan. 12 (Discussion off the record.) 13 THE REPORTER: Ms. Winters, would you like a 14 copy? 15 MS. WINTERS: Yes, please. Thank you. 16 THE REPORTER: Would you like the witness to 17 read and sign. 18 MS. WINTERS: Do you want to read and sign? 19 THE WITNESS: Sure. 20 THE REPORTER: Thank you. 21 (The deposition was concluded at 11:21 a.m.) 22 000 23 24 25

ESTATE OF GUGSA ABRAHAM DABELA, ET AL. vs TOWN OF REDDING, ET AL.  
Suzanna Ryan, MS, D-ABC on 10/11/2018

1 I, SUZANNA RYAN, MS, D-ABC, do hereby declare  
 2 under penalty of perjury that I have read the foregoing  
 3 transcript; that I have made any corrections as noted in  
 4 ink, initialed by me; that my testimony as contained  
 5 herein, as corrected, is true and correct.

6

7 EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_,  
 8 20\_\_\_\_, at \_\_\_\_\_.  
 9 (City) (State)

10

11 \_\_\_\_\_  
 12 SUZANNA RYAN, MS, D-ABC  
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1 DEPOSITION ERRATA SHEET  
 2 Case Name: DABELA vs. TOWN OF REDDING  
 3 Name of Witness: SUZANNA RYAN, MS, D-ABC  
 4 Date of Deposition: OCTOBER 11, 2018  
 5 Job No.: 217197  
 6 Reason Codes: 1. To clarify the record.  
 7 2. To conform to the facts.  
 8 3. To correct transcription errors.  
 9

10 Page \_\_\_\_\_ Line \_\_\_\_\_ Reason \_\_\_\_\_ ?  
 11 From \_\_\_\_\_ to \_\_\_\_\_  
 12 Page \_\_\_\_\_ Line \_\_\_\_\_ Reason \_\_\_\_\_  
 13 From \_\_\_\_\_ to \_\_\_\_\_  
 14 Page \_\_\_\_\_ Line \_\_\_\_\_ Reason \_\_\_\_\_  
 15 From \_\_\_\_\_ to \_\_\_\_\_  
 16 Page \_\_\_\_\_ Line \_\_\_\_\_ Reason \_\_\_\_\_  
 17 From \_\_\_\_\_ to \_\_\_\_\_  
 18 Page \_\_\_\_\_ Line \_\_\_\_\_ Reason \_\_\_\_\_  
 19 \_\_\_\_\_ Subject to the above changes, I certify that  
 20 the transcript is true and correct.  
 21 \_\_\_\_\_ No changes have been made. I certify that the  
 22 transcript is true and correct.  
 23 \_\_\_\_\_  
 24 SUZANNA RYAN, MS, D-ABC  
 25

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1                   REPORTER'S CERTIFICATE

2                   I, Valerie C. Rodriguez, a Certified Shorthand

3    Reporter for the State of California, do hereby certify:

4                   That the foregoing proceedings were taken

5    before me at the time and place herein set forth; that

6    any witnesses in the foregoing proceedings, prior to

7    testifying, were placed under oath; that a verbatim

8    record of the proceedings was made by me using machine

9    shorthand which was thereafter transcribed under my

10    direction; further, that the foregoing is a true record

11    of the testimony given; that the dismantling, unsealing,

12    or unbinding of the original transcript will render the

13    reporter's certificate null and void.

14                   Before completion of the deposition, review of

15    the transcript was requested. If requested, any changes

16    made by the deponent (and provided to the reporter)

17    during the period allowed are appended hereto.

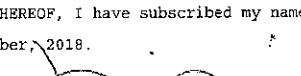
18                   I further certify that I am neither counsel

19    for, nor related to any party to said action, nor in any

20    way interested in the outcome thereof.

21                   IN WITNESS WHEREOF, I have subscribed my name

22    this 16th day of October, 2018.

23                     
24                   VALERIE C. RODRIGUEZ

25                   CSR No. 12871

ESTATE OF GUGSA ABRAHAM DABELA, ET AL. vs TOWN OF REDDING, ET AL.  
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