

# CASE REPORT

C. R. Longwell,<sup>1</sup> M.S.; R. C. Briner,<sup>1</sup> Ph.D.; B. R. Rapert;<sup>2</sup>  
and E. A. Coombs,<sup>3</sup> B.S.

## A Case of Self-Inflicted Justice

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**ABSTRACT:** A coordinated effort among the agencies represented by the authors resulted in satisfactory answers to several puzzling questions encountered during the investigation of a fatal shooting. Several investigative and analytical techniques were used to reach the final conclusion. Overall coordination of the investigation, along with the collection of items of evidence, was handled by the sheriff's department. The highway patrol photographed the scene, aided in taking statements, and ran polygraph examinations that eventually aided in verifying the validity of some of the statements. Analyses of the various items of evidence by the crime laboratory personnel helped in the determination of what had occurred.

**KEYWORDS:** criminalistics, ballistics, death

When a fatal shooting that had occurred during the commission of a burglary was being investigated, a number of puzzling aspects were encountered. Resolution of each of these problems was accomplished through the combined efforts of the agencies represented by the authors.

### History

The deceased was found lying on his back on the screened porch of a southeastern Missouri farm residence (Fig. 1). The body, with arms folded across the chest, was wedged between a couch and a rotary tiller. A portable television and a radio alarm were found on the porch floor between the victim's body and the rear door to the house. Three long weapons were resting on the steps leading up to the back porch. These included a 12-gauge shotgun with the barrel pointing away from the porch as well as a .22-caliber rifle and a

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<sup>1</sup>Criminalist and director, respectively, Southeast Missouri Regional Crime Laboratory, Southeast Missouri State University, Cape Girardeau, Mo. 63701.

<sup>2</sup>Evidence specialist-investigator, Missouri State Highway Patrol, Troop E Headquarters, Poplar Bluff, Mo. 63901.

<sup>3</sup>Chief deputy, Cape Girardeau County Sheriff's Department, Jackson, Mo. 63755.

.30-30 lever action carbine, both with their barrels pointing toward the porch. The shotgun and .22 were both unloaded while the .30-30 contained a fired cartridge case in the chamber.

The glass in the rear storm door and the door to the house were broken; the latter was covered by a piece of cardboard. A large wood double-pedestal table in the kitchen had been broken as if something heavy had landed on it, possibly a person during a struggle. Heavy amounts of what was later determined to be blood of the victim's type were located on the floor of the porch, the doors, the floor of the hall leading from the rear door to the kitchen, and in a bedroom adjoining the kitchen. No blood was found on the kitchen floor between the hall and the bedroom.

All of the items found on the porch or steps had been removed from the bedroom, with the television having been forcibly torn from the antenna leads. The bedroom window also proved to be the only place the body could be seen from inside the house. The time on the clock-radio read 9:20 a.m., whereas the burglary supposedly occurred between 9:00 and 10:30 p.m. The fact that there was no blood on the kitchen floor and that cardboard had been placed over the rear door led to the early suspicion that the residents of the house had been involved in the shooting. Witnesses' testimony and subsequent polygraph testing served to clear them of any duplicity in the matter.

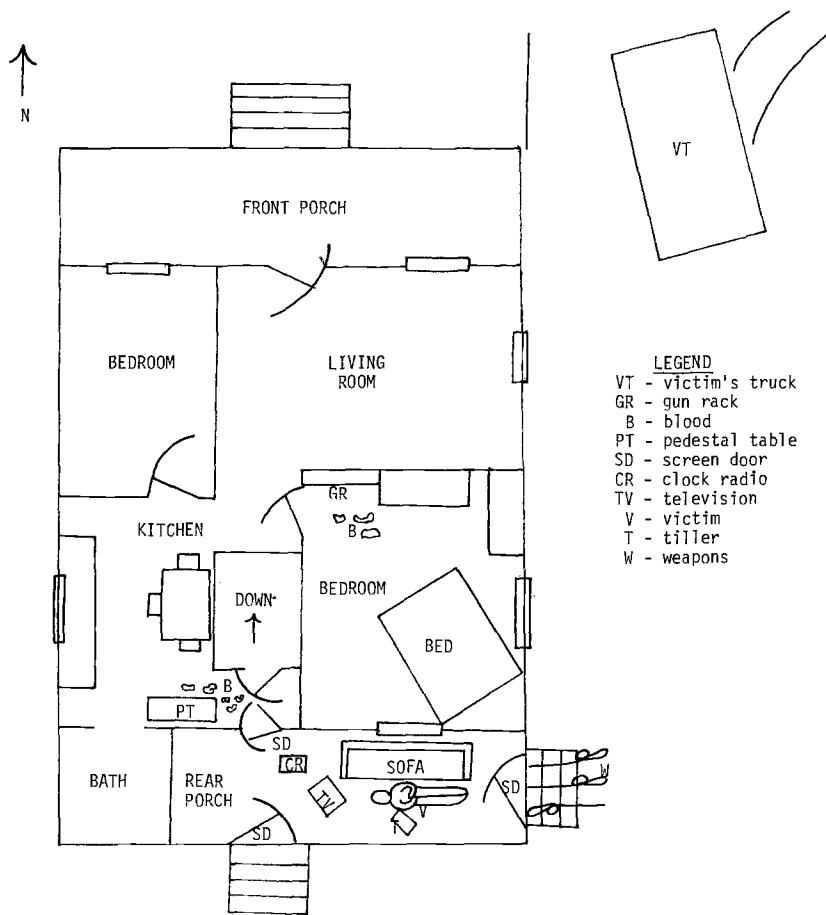


FIG. 1—Floor plan of burglary scene.

### General Autopsy Findings

The autopsy<sup>4</sup> revealed that the victim had suffered a gunshot wound of the left chest with the bullet entering 10.5 cm left of the midline and 7.5 cm above the level of the left nipple. The exit wound was located in the back 7 cm to the right of the midline and 13 cm above the level of the right superior iliac crest. While traveling between the two points listed, the bullet passed through the left second and third ribs, heart, aorta, left lung, liver, right kidney, right adrenal gland, and right twelfth rib. The heart was totally destroyed in the process, resulting in death. Numerous deep lacerations were also noted on the victim's right calf and right cheek.

### Laboratory Examinations

Examination of the victim's clothing revealed a hole above the left pocket of a dark blue leisure jacket and matching holes in a dress shirt and T-shirt, all of which lined up with the hole in the victim's chest. An intact .30-caliber copper-clad bullet was found lying between the victim's back and his T-shirt. The bullet was in excellent condition, and it was determined that it was fired through the .30-30 carbine found at the foot of the porch steps.

The firing pin impression on the fired cartridge case found in the weapon differed from that of a test round in that the primer metal of the former was broken through (Fig. 2) while that of the test round was unbroken (Fig. 3). When the weapon was loaded and fired by striking the hammer, which was in the full forward position, the primer metal was penetrated (Fig. 4).

When the weapon was collected at the scene a white substance adhered to the ridge of the hammer. On the bottom concrete step a mark was located that matched the width of the hammer. Subsequent energy dispersive X-ray analysis with a Princeton Gamma Tech Model 1000 E.D.S. system attached to an ISI Super I scanning electron microscope showed that the material from the hammer matched a specimen of concrete from the step (Fig. 5).



FIG. 2—Firing pin impression from fired cartridge case in rifle at crime scene.

<sup>4</sup>The autopsy was conducted by Mary Case, M.D., St. Louis County Medical Examiner's Office, St. Louis, Mo.

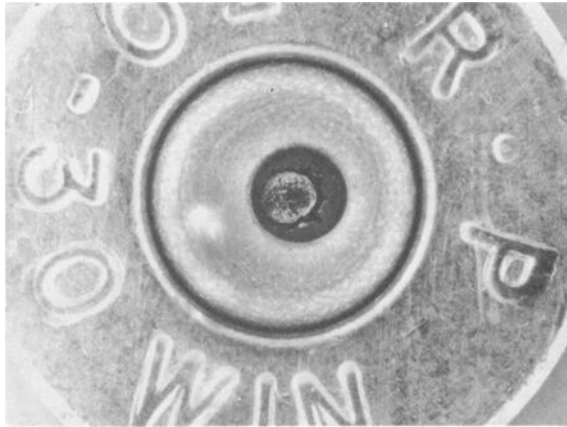


FIG. 3—*Firing pin impression from test firing of rifle.*

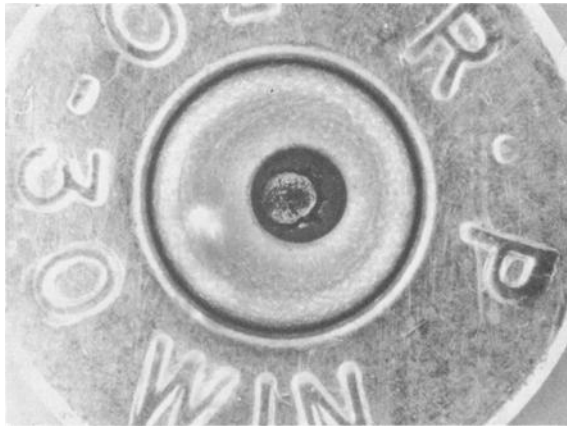


FIG. 4—*Firing pin impression from striking hammer of rifle to discharge cartridge.*

### **Discussion**

Although the initial thrust of this investigation was aimed at determining whether or not the residents of the burglarized house had been involved in the shooting of the burglar, it soon became apparent that some other person was involved. The victim either had been shot by an accomplice or had been accidentally shot by the .30-30 carbine.

Taking into account the facts that the barrel of the weapon was pointing toward the victim; that on the hammer was cement similar to that of the porch steps; that the cartridge had been fired as a result of the hammer being struck while in the forward position instead of by a normal trigger pull; and that the victim's blood alcohol concentration was 0.226% w/v, it was concluded that the victim had been accidentally shot.

It appears that after having a few drinks with the residents of the home in a local tavern, the victim left and proceeded with the burglary. During the course of breaking into the

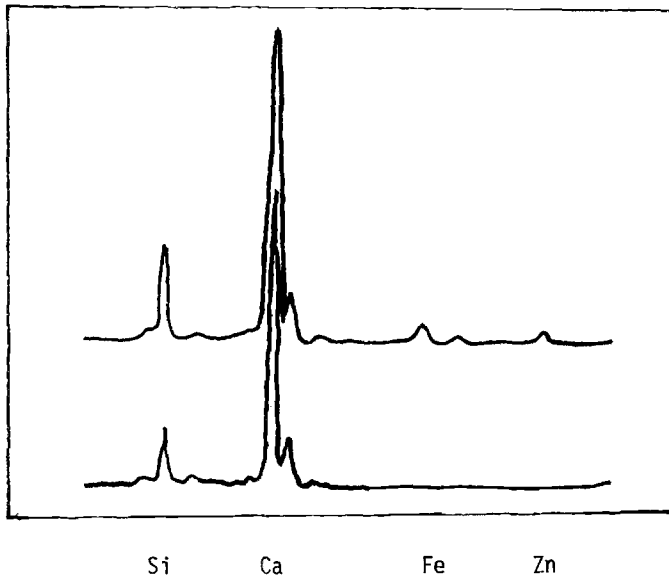


FIG. 5—Energy dispersive X-ray analysis of samples: (upper line) white powder from hammer of rifle and (lower line) concrete from scarred area of steps.

house he severely cut himself on glass, accounting for the blood. He was so intoxicated that he had difficulty standing and fell into the pedestal table, breaking it. As he left the house he could not get a screen door unlocked at the top of the steps. He proceeded to throw the three weapons out through a hole in the screen door. The .30-30 carbine struck the step, causing the hammer to be forced into the cartridge in the chamber. The cartridge discharged and the bullet struck and killed the burglar.

The discrepancy in the time on the clock was explained by the residents: they had not been able to determine how to set both the time and the alarm. Upon getting the alarm set correctly they left the clock unplugged until the time on the face came up on another clock. They then plugged in the clock-radio, and thus the 12-h discrepancy was accounted for.

The kitchen floor had been cleaned when the wife returned home shortly after the event. She had two small dogs that had dirtied the floor during the burglary. In a somewhat inebriated state she cleaned up the mess and blood and then left the house for the night. The next morning she returned and placed the cardboard over the broken window. Again she left without seeing the body on the porch.

The husband did not return home until the afternoon of the day following the shooting. Upon entering the bedroom he saw the body through the window and notified the authorities.

Fortunately, both stories checked out with witnesses, and the polygraph results and the evidence developed through the laboratory analysis led to the conclusion that an intended burglar had met a severe fate at his own hand.

### Conclusion

Through the combined efforts of investigators from different agencies (Cape Girardeau

County Sheriff, Missouri State Highway Patrol, St. Louis Medical Examiner, and SEMO Regional Crime Laboratory), it was possible to untangle a web of puzzling and often contradictory items of evidence in solving this case.

Address requests for reprints or additional information to  
C. R. Longwell  
Southeast Missouri Regional Crime Laboratory  
Southeast Missouri State University  
Cape Girardeau, Mo. 63701