AMANDA DAVIES:

A woman was found knifed to death under a bridge. She

was wearing a blue and gray acrylic sweater. There were no

fingerprints, no witnesses, and no weapon. She had recently

returned from a vacation and had some photographs of

herself in some provocative poses with strange people. On the

night she died, she told her parents she was going to see her

boyfriend and show him the pictures to “rekindle his interest.”

After the body was found, her boyfriend was interviewed. He

said that he had seen her and that she had been in his truck,

but that he had dropped her off “downtown.” After obtaining

a search warrant, investigators searched his truck and found

a yellow polyester blanket.

When the sweater was examined by the crime laboratory,

about 40 yellow polyester fibers similar to those from the

blanket were found. Likewise, examination of the blanket

revealed more than 30 blue and gray acrylic fibers that

matched the sweater. No attempts were made to determine

how readily the sweater or blanket shed fibers or how well

foreign fibers adhered to these textiles. It would not have been

proper to put the actual articles in contact with each other, but

the defense argued that similar garments could have been

used to investigate the “sheddability” of the garments.

At the trial the prosecutor tried to establish that there was a

“primary transfer” between the blanket and the sweater and

that the large number of fibers mutually transferred showed

that the transfer had been recent. In other words, the prosecutor

argued that the blanket had been in direct contact with the

victim’s sweater right before she died. Because the blanket

was found in the truck, this implied that she had been in the

truck shortly before she died. This was virtually the only physical

evidence available during the case. The other circumstances,

such as the photographs, were used to establish a motive.

The defense argued that the number of fibers transferred

may or may not indicate of a primary transfer. If these

garments shed easily, the victim could have deposited fibers

from her sweater into the suspect’s truck on a previous

occasion. Because the accused kept the blanket in the truck

at all times, sometimes in the front seat, the defense argued

that the sweater could have picked up blanket fibers from the

truck seat; in other words, the truck seat could have acted as

an intermediary for a secondary transfer of fibers. Because

the crime lab had not done any testing to determine how

easily these garments shed, the prosecutor could not know if

the 30 to 40 fibers was a “large number.”

Faced with these arguments, the jury returned a verdict of

“not guilty.”

What could have been done differently to make a better case

for the prosecution?