

1 better on October 10th as you talked to Detective Turner  
2 than it would be any time after that, wouldn't it?

3 A I guess.

4 Q Would you agree that your memory fades as time  
5 goes on, not just yours but anybody's?

6 A Yes.

7 MS. ADLER: That's all the questions that I have.

8 MR. MOSS: No further questions. May the witness  
9 be excused?

10 THE COURT: You may step down. You are excused.

11  
12 JOSEPH CROW

13 being duly sworn by the Deputy Clerk, testified as follows:

14 DIRECT EXAMINATION

15 QUESTIONS BY MR. MOSS:

16 Q State your name for the record, please.

17 A Joseph Crow.

18 Q Your profession or occupation?

19 A Criminalist, St. Louis Metropolitan Police  
20 Department.

21 Q And were you so employed during the month of  
22 October of last year up until and including today?

23 A Yes.

24 Q How long have you been employed at the Police  
25 Lab?

1 A Nine years.

2 Q Your specialty or particular duties there?

3 A I do the serology work for the Laboratory.

4 Q Would you explain what you mean by serology?

5 A I do the sexual assault evidence and the non-shooting  
6 assaults and homicides.

7 Q Do you test blood and body fluids?

8 A Yes, I do.

9 Q Now with reference to your testing and testing  
10 procedures and training in that regard, do you hold a  
11 degree in any particular area of science?

12 A I have a degree in Chemistry from the University  
13 of Missouri, Columbia, Missouri.

14 Q And have you had any special training in the  
15 examination of blood and body fluids?

16 A I've taken graduate courses in forensic serology  
17 at Northeast Missouri State University, Southeast Missouri  
18 State University and the University of Virginia.

19 Q Have you attended various seminars, lectures,  
20 et cetera, in that same field?

21 A Yes, I have.

22 Q And have you testified on numerous prior occasions  
23 as to your examinations in the field of serology before the  
24 Circuit Court?

25 A Yes, I have.

1 Q Now directing your attention back to October of  
2 1983, did you receive a sexual assault or a rape kit as  
3 it's commonly known in the Laboratory?

4 A Yes, I did.

5 Q Take a look at the object laying in front of you  
6 marked State Exhibit 9. Did you receive that particular  
7 exhibit in your Laboratory on or about the 10th day of  
8 October, 1983?

9 A Yes, I did.

10 Q Did you mark it in any way once you had received  
11 it?

12 A Yes, I did.

13 Q How?

14 A I put the Laboratory number, the specimen number  
15 and my initials on the bottom of the bag.

16 Q Do you find those there on State Exhibit 9?

17 A Yes, I do.

18 Q Would you remove the contents of State Exhibit 9  
19 and tell me whether or not those are the same contents you  
20 found in there when you examined it initially?

21 A I recognize the panties as having been an item  
22 that I examined in this case.

23 Q Did you mark it in the same fashion that you  
24 talked about as the bag?

25 A There is an evidence sticker attached to the

1       panties with the Laboratory number, the specimen number and  
2       my initials on it.

3           Q     Did you also examine various smears provided in  
4       that same rape kit?

5           A     Yes, I did.

6           Q     Now what did your examination specifically  
7       disclose as regards the panties?

8           A     That there was a stain in the crotch of the  
9       panties. Analysis of the stain revealed the presence of  
10      human seminal fluid.

11          Q     Human seminal fluid, you mean what in common  
12      terms?

13          A     May I look at my notes here for a second?

14          Q     Sure.

15          A     I don't know of any other common name for human  
16      seminal fluid besides human seminal fluid.

17          Q     Good. Where does it come from?

18          A     The human male.

19          Q     And with reference to the other smears or swabs  
20      or slides, did you find anything similar or --

21          A     Examination of the vaginal smear revealed the  
22      presence of human spermatozoa.

23          Q     When you referred to vaginal smears, is that  
24      State Exhibit 12 that you're talking about?

25          A     Yes.

1 Q And you found spermatozoa among the matter  
2 deposited on those slides?

3 A Yes.

4 Q Subsequent to the date you examined these  
5 particular items, did you also examine or obtain a saliva  
6 sample of [REDACTED] on or about 2/20/84?

7 A Yes, I did.

8 Q And on or about 2/23/84 did you obtain a saliva  
9 sample of Anthony Woods?

10 A Yes, I did.

11 Q Did you utilize the items you previously had,  
12 namely the body fluids that presented themselves in the  
13 contents of State Exhibit 9, did you make any kind of  
14 comparisons between those and the saliva samples you obtained  
15 from Mr. Woods and from Miss [REDACTED]?

16 A Yes, I did.

17 Q Basically what kind of test did you perform, what  
18 did it disclose?

19 A The test indicated that Miss [REDACTED] was a Type  
20 A secreter, that is, her blood type was Type A and her  
21 blood type was found in her other body fluids. They were  
22 found in her saliva and in her vaginal secretions. The  
23 defendant, Mr. Woods, was a non-secreter, that is, we were  
24 unable to determine his A-B-O blood type because it was not  
25 found in his other body fluids. We checked his saliva and

1 were unable to find his blood type. Consequently, his  
2 seminal fluid was also void of his A-B-O blood type.

3 Q Now did the test that you performed, it did not  
4 exclude him from those persons who could have had intercourse  
5 with her?

6 A The only persons who were excluded were persons of  
7 Type B blood. Since we do not know his blood type, he was  
8 not excluded.

9 Q For the record. I've marked those particular  
10 saliva samples 20 and 21. Are those the ones that you were  
11 talking about that you obtained earlier?

12 A Yes, they are.

13 MR. MOSS: You may inquire.

14  
15 CROSS EXAMINATION

16 QUESTIONS BY MS. ADLER:

17 Q Mr. Crow, you basically what, you were able to  
18 determine here that -- taking the findings that you got,  
19 we talked about this before, right?

20 A Yes.

21 Q You said that at least eighty-nine per cent of  
22 the black male population could have had intercourse with  
23 [REDACTED] and you would have still got the same  
24 results that you did?

25 A Yes.

1 Q And anywhere up to one hundred per cent of the  
2 black male population could have had intercourse with her  
3 and you still would have got the findings you did if you --  
4 if the swab wasn't done right and the person was this B  
5 type that you were talking about because you are making an  
6 assumption that the assailant was probably not a B?

7 MR. MOSS: Objection to the form of the question.  
8 It's multiple and it's argumentative. It assumes facts not  
9 in evidence.

10 THE COURT: Sustained.

11 Q (By Ms. Adler) Does the eighty-nine per cent --  
12 you know that eighty-nine per cent of the black male  
13 population could have had intercourse with [REDACTED]  
14 and you would have still gotten the same results?

15 A Yes.

16 Q Now is the B, the B people, the B type people,  
17 are they included in the remaining eleven per cent?

18 A The remaining eleven per cent are AB persons and  
19 B persons.

20 Q So you can possibly include those people -- it's  
21 possible that they could be included and you would still  
22 come up with the same results that you did if the B -- I  
23 don't know what you call it, the thing that makes a person  
24 AB, if you miss that in the slide or the test or whatever  
25 it is --

1 MR. MOSS: I object. It assumes he missed it  
2 which is not in evidence, not a proper foundation.

3 MS. ADLER: I'm not assuming that.

4 THE COURT: He can answer that. It's overruled.

5 Q (By Ms. Adler) Isn't that right?

6 A The finding of nothing but the victim's blood  
7 type makes a positive identification hard. That is the  
8 reason that I didn't say absolutely what the blood type was  
9 but said that it was consistent with. I didn't have any  
10 other way of wording it that I thought was better.

11 Q But [REDACTED] -- the findings being  
12 consistent with Anthony Woods having intercourse with  
13 [REDACTED], you would get the same finding for  
14 eighty-nine per cent to one hundred per cent of the black  
15 male population?

16 MR. MOSS: Objection. Asked and answered several  
17 times.

18 Q (By Ms. Adler) Isn't that right?

19 THE COURT: He has answered it. Sustained.

20 MS. ADLER: That's all the questions that I have.

21 MR. MOSS: No further questions. May the witness  
22 be excuse??

23 THE COURT: You may step down, sir, and you are  
24 excused.

25 (At this point a brief recess in the proceedings