



Department of State Police
CRIME DETECTION LABORATORY

1500 VALLEY RIVER DRIVE, EUGENE, OREGON 97401

June 10, 1983

David N. Burks, Sheriff
Lane County
125 E. 8th Avenue
Eugene, OR 97401

HOMICIDE

Downs, Cheryl Lynn (victim - deceased)
Downs, Christine Ann (victim)
Downs, Stephen Daniel (victim)
Downs, Diane Elizabeth (victim)
Agency Case 83-3268; 134-83
CDL E-20,836

At 2:00AM, May 20, 1983 writer received a telephone request to aid in the processing of a vehicle at the county shops. Upon arrival at 2:35AM, writer assisted Sgt. Peckels (Lane County S.O.) in processing a 1983 red Datsun Pulsar two-door sedan, Arizona license number BJY-787. The odometer reading was 5948. No gun-powder particles were visible on or around the doors and windows.

Examination of the front seat area revealed assorted sea shells and sand. A large semi-liquid bloodstain was visible on the front passenger side floor. A tube of "Avon" cuticle conditioner and an empty "Pepsi" brand paper cup were also on the floor. One .22 caliber lead bullet was recovered from under the carpet in the right forward corner. Examination of the floor behind the driver's seat revealed a blue nylon jacket with a few fresh bloodstains and a .22 rimfire cartridge casing. A pair of rubber thongs were under the jacket. A pair of athletic shoes and an oxygen mask were on the floor behind the front passenger seat. Some blood smears and low velocity droplets were visible on the door frame adjacent to the passenger seat. Examination of the rear seat revealed pooled fresh blood on the passenger seat side. Some bloodstains were also visible on the seat back. Three .22 cartridge casings were retrieved from the rear seat.

A medium to high velocity blood spatter pattern was visible on the headliner over the rear seat. Directionality was straight up. The distance from the seat bench to the headliner was 36". High velocity spatter was also visible on the rear side window, side panel and rear window.

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The trunk contained assorted items including one Rohm model 63 revolver in .38 S&W special caliber. The serial number is HFO 102152. Water and rust were present on the surface facing the trunk mat. A box of "Remington" brand .38 S&W special ammunition was also in the trunk.

Several photographs were obtained and the vehicle was also vacuumed. The writer secured from the shops at 5:15AM.

At 8:30AM, writer arrived at (approximately) M.P. 3 on Old Mohawk Road, near Marcola. Already-present were Sgt. Rutherford and other Lane County Sheriff's Office deputies. Two .22 rimfire cartridge casings were obtained from Officer Poling. These were reportedly found on or near the roadway. The area was secured and a careful search of the region was conducted. Several beer cans and some bubble gum were collected. Several photographs were obtained and writer secured from this area at 9:45AM.

At 11:00AM, writer arrived at the Mohawk Elementary School and contacted Officer Lannerman (Lane County S.O.). Several low velocity blood droplets were visible on the cement floor of the office/classroom building. Samplings of the blood were obtained. Writer also received several .38 special casings from Officer Lannerman. Writer secured from the school at 11:10AM.

At 2:25PM on this same day, writer observed the autopsy of Cheryl Lynn Downs at Sacred Heart Hospital. Two small caliber entrance wounds with associated stippling were observed in the back. One exit wound was visible in the front chest. Several powder particles were collected from the area adjacent to the wounds. One .22 lead bullet was removed from the right shoulder. Several photos were obtained during the autopsy. Present during the autopsy were Officer Wuest, Ken Champion, Darryl Larson and Dr. Ed Wilson.

Writer secured from Sacred Heart at 5:00PM and traveled to 1352 "Q" Street, Springfield, OR. This reportedly was the residence of Elizabeth Downs and family. A search of the residence was conducted in cooperation with Detective Tracy and several members of the Lane County District Attorney's Office.

One copper washed .22 long rifle cartridge was found on a bedspread on the bed in the master bedroom. Writer received a .22 rifle and eight .22 cartridges from Detective Tracy. The writer secured from the residence at 6:30PM.

At 11:45AM, May 25, 1983 writer and Sgt. Peckels re-examined the 1983 Datsun. Close examination of the passenger door frame and adjacent rock panel revealed a high velocity blood spatter pattern. The

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majority of the pattern is visible on the rock panel approximately 21½" behind the door hinge. Other minute droplets, some of which exhibit directionality, are visible on the plastic passenger seat trim and the door frame. The origin of this pattern is 21½" behind the passenger door hinge, 11" perpendicular to the spatter pattern and 12-18" above the ground. One of the victims, probably Cheryl Downs, was outside the car and on or near the ground when she sustained one of the two gunshot wounds.

At approximately 10:00PM, May 26, 1983 writer contacted Sheriff Burks, Detective Hince, Detective Tracy and others at the scene on Old Mohawk Road. The area was closely examined for occult blood utilizing luminol reagent. No suspected bloodstains were found. Writer secured from the scene at approximately 11:30PM.

All 35 mm film exposed in this case has been released to Sgt. Peckles, Lane County S.O.

On June 3, 1983 Dr. Wilson and the writer went to the intensive care unit at McKenzie-Willamette hospital. At 11:55AM we entered the ICU and examined the gunshot wounds on Christine Downs. A large wound was located approximately ¾" from the left nipple. It was slightly out of round with a width of ⅜" and length of 7/8". For reference, the distance from the top of the neck to wound center was 5 ¾". The distance from top of the head to wound center was 13 ¾". A smaller wound, approximately ½" in diameter was located below and slightly left of the other wound. This smaller wound was located ½" below the transverse nipple line. Center to center distance between these two injuries was 1 ⅜". Gunpowder stippling was not visible around either of the above entrance wounds. Examination of Miss Downs' back revealed two injuries. One was approximately ½" in diameter and reported to be a bullet exit wound. It was located ½" from the midline and 9" below the top of the head. An incision had been made in the same area, reportedly to remove a bullet. This mark was 1½" left of the midline and 9½" below the top of the head. For reference, her total height was found to be 48". Writer and Dr. Wilson secured from the ICU at 12:12PM.

Evidence

Exhibit 1 - One sealed manila envelope enclosing one .22 caliber lead bullet weighing 38 grains. This bullet was reportedly recovered at McKenzie-Willamette Hospital.

Exhibit 2 - One sealed manila envelope enclosing one .22 caliber lead bullet weighing 39 grains. This bullet was removed from the front passenger floor of the red 1983 Datsun.

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Exhibit 3 - One sealed manila envelope enclosing one .22 rimfire cartridge casing headstamped "U," consistent with Remington brand ammunition. This casing was obtained from the center of the rear seat.

Exhibit 4 - One sealed manila envelope enclosing two .22 rimfire cartridge casings headstamped "U." These items were on the passenger side of the rear seat.

Exhibit 5 - One sealed manila envelope enclosing one .22 cartridge casing headstamped "U." This item was obtained immediately behind the driver's seat.

Exhibit 6 - One sealed manila envelope enclosing two .22 cartridge casings headstamped "U." These casings were found on Old Mohawk Road. Microscopic examination reveals these casings and the casings in Exhibits 3, 4, and 5 were fired in the chamber of the same weapon.

Exhibit 7 - One glass vial enclosing one .22 caliber lead bullet weighing 38 grains. This projectile was removed from the right shoulder of Cheryl Downs.

The combination of land and groove impressions on the above listed bullets and tool marks impressed on the above casings are consistent with a semi-automatic pistol or rifle utilizing a clip style magazine. Crime laboratory records of firearms characteristics reveals a Ruger to be the only semi-automatic pistol that fits this combination, however, the records may not be all inclusive.

Exhibit 8 - One sealed yellow paperfold enclosing powder particles from the area surrounding the entrance wound on the right side of Cheryl Downs.

Exhibit 9 - One sealed yellow paperfold enclosing powder particles from the area surrounding the entrance wound on the left side of Cheryl Downs.

Exhibit 10 - One sealed yellow envelope enclosing a gold colored necklace removed from the neck of Cheryl Downs.

Exhibit 11 - Three paper packages enclosing cotton swabs. These represent swabbings of the mouth, vagina and rectum of Cheryl Downs. Examination fails to reveal the presence of any seminal fluid.

Exhibit 12 - One plastic box enclosing three glass slides. These slides contain residue from the mouth, vagina and rectum of Cheryl Downs. Microscopic examination fails to reveal the presence of any spermatozoa.

Exhibit 13 - One sealed envelope enclosing one copper washed .22 long rifle cartridge. This item was found on the bed in the master

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bedroom at 1392 Q Street.

Exhibit 14 - One sealed plastic bag enclosing a white envelope containing eight .22 long rifle cartridges. Six of them have copper washed bullets and are headstamped "C." Two cartridges have lead bullets and are headstamped "U." Microscopic examination reveals the two cartridges headstamped "U" have tool mark impressions on the rim consistent with having been through the mechanism of a rifle or pistol. Microscopic comparison of tool marks on these two cartridges and tool marks on the cartridge casings in Exhibits 3, 4, 5, and 6 reveals they match. This indicates they were mechanically manipulated through the receiver of the same weapon.

Exhibit 15 - One sealed manila envelope enclosing chewed pink bubble gum found near the roadway on Old Mohawk Road. Examination fails to reveal the presence of any bloodstains.

Exhibit 16 - One sealed brown paper bag enclosing paper items and several "Blitz Weinhard" beer cans found at the scene on Old Mohawk Road.

Exhibit 17 - One sealed manila envelope enclosing thread with blood from the spatter pattern outside the 1983 Datsun. Serological examination reveals this blood is human in origin.

Exhibit 18 - One sealed brown paper bag enclosing the following:

- a. Seven .38 S&W cartridge casings. The headstamps vary in pattern, but all are manufactured by Winchester.
- b. One sealed manila envelope enclosing dried blood from the cement patio at Mohawk Elementary School.

Exhibit 19 - One sealed brown paper bag enclosing green shorts and panties removed from Cheryl Downs. Examination reveals dried bloodstains on these items.

The following exhibits were received from Detective Tracy on May 20, 1983:

Exhibit 20 - One vinyl case enclosing one Glenfield Model 60 rifle in .22 rimfire caliber. The serial number is 21459752. Examination of the bore of the 22" barrel reveals dust and lint, consistent with this weapon not having been fired recently. Test-firing reveals this weapon operates in a satisfactory manner.

Exhibits 21 - 24 are reportedly from Diane Downs:

Exhibit 21 - One sealed brown paper bag enclosing one predominately blue and white plaid long sleeved shirt labeled "Prest-Rite." Examination of the front left side reveals a yellow stain on the left center area. Examination of the left sleeve reveals a large bloodstain near the cuff. Also visible are three holes in this item. Two holes, both approximately $\frac{1}{4}$ " in diameter, are $2\frac{1}{4}$ " from the edge of the cuff.

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One hole is surrounded by gunpowder particles. The outside diameter of this pattern is 1 3/4". The distance between these two holes is 2". This second hole does not have powder particles present. Both the outside and inside of the cloth were examined. Proximity testing reveals the muzzle to target distance to be 9" or less.



The third hole, approximately 1/4" in diameter, is located approximately 6" from the edge of the cuff. Tearing around the hole is irregular and consistent with inside to outside directionality.

Examination of the right sleeve reveals several small blood droplets on and near the edge of the cuff.

Exhibit 22 - One sealed brown paper bag enclosing one light blue T-shirt labeled "Nantucket Island." Examination reveals small bloodstains near the front collar. Further examination reveals a dried bloodstain on the front inside surface near the button edge of this item.

Exhibit 23 - One sealed brown paper bag enclosing one pair of blue denim pants labeled "Wrangler." Examination reveals bloodstains on the front hip area predominately between the zipper and the left front pocket. Other bloodstains are visible on the front left upper pant leg area. One droplet, with downward directionality is also visible on the back lower left pant leg.

Exhibit 24 - One sealed brown paper bag enclosing one predominately red, lavender and orange bath towel. Examination reveals several large bloodstains.

The following two exhibits were reportedly worn by Stephen Downs.

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Exhibit 25 - One sealed brown paper bag enclosing one green, gold and white polo style shirt in children's size 4T. Examination of the back surface reveals a hole $\frac{1}{4}$ " in diameter surrounded by a bloodstain approximately $1 \frac{3}{4}$ " in diameter. Also visible are several gunpowder particles. The pattern suggests the majority of these particles struck the shirt at an oblique angle originating from the lower right. The width of the gunpowder pattern is approximately $1 \frac{1}{2}$ ". Microscopic examination of the terminal ends of fibers within the bullethole reveals a small caliber weapon was discharged 9" or less from the shirt.

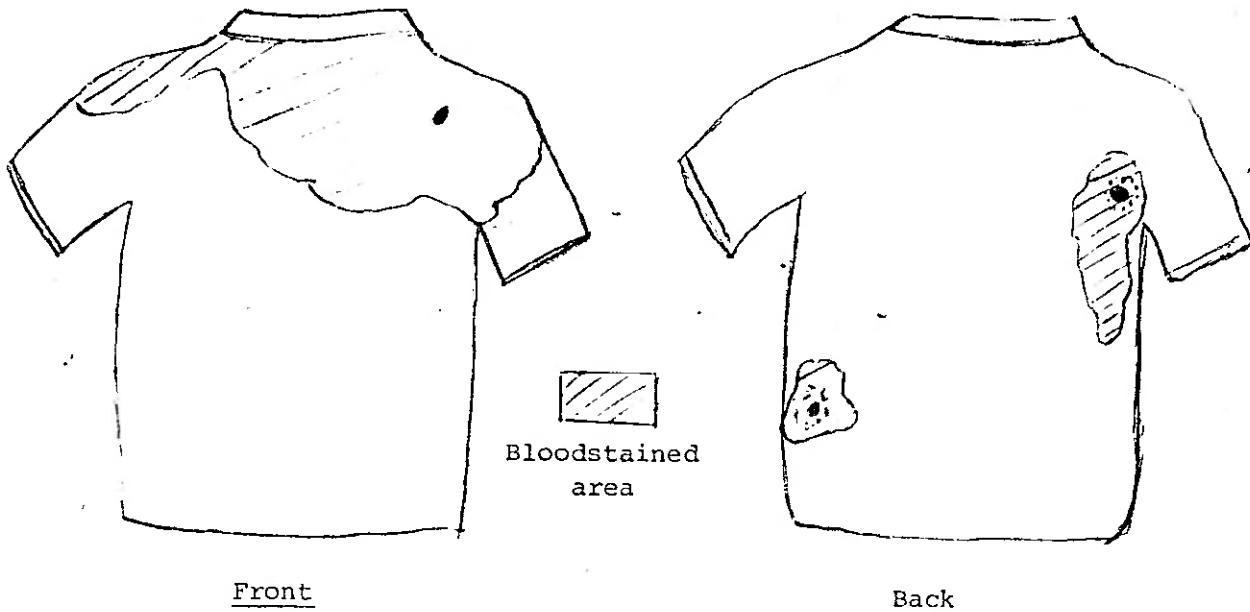
back surface

Exhibit 26 - One sealed brown paper bag enclosing one pair of blue denim pants fitted for a small child and labeled "Oshkosh." Examination reveals a few bloodstains in the back of both pant legs.

Exhibit 27 - One sealed brown paper bag enclosing one pair of maroon corduroy pants reportedly worn by Christine Downs. This item has been cut lengthwise from the waist to pant leg cuff. Examination reveals several bloodstains on the hip region and in the pant legs.

Exhibit 28 - One sealed brown paper bag enclosing one lavender and white striped pullover shirt fitted for a small child, reportedly worn by Cheryl Downs. Examination of the shirt front reveals bloodstains from the collar to the shirt bottom. The largest concentration of blood is located on the left upper chest to shoulder area. One hole, approximately $\frac{1}{4}$ " in diameter is located in the upper left shoulder area. No gunpowder particles are visible around the hole.

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FrontBack

Examination of the shirt back reveals two holes, both approximately $\frac{1}{4}$ " in diameter. One hole is located in the lower left quadrant $1\frac{1}{4}$ " from the shirt seam and $4\frac{1}{2}$ " from the bottom edge. The maximum diameter of gunpowder particles around this entrance hole is $1\frac{1}{4}$ ". Examination of the hole reveals it is located on the upper right quadrant 1" from the shirt seam and $8\frac{1}{4}$ " from the shirt bottom. The diameter of gunpowder residue around this entrance hole is approximately $1\frac{5}{8}$ ". Chemical and physical examinations of the bullet entrance hole in the lower left back reveals the muzzle to shirt distance was near contact. Chemical and physical examination of the bullet entrance hole in the back right shoulder was approximately 6 - 9".

The following exhibit was reportedly worn by Cheryl Downs:

Exhibit 29 - One sealed brown paper bag enclosing one blue zippered sweater with a "U. S. Mail" patch on the left sleeve. Examination reveals several bloodstains on this item; most are located on the left shoulder and left sleeve. Two holes are visible on the back approximately $2\frac{1}{2}$ " from the top of the collar. The holes are approximately 7" apart. No gunpowder particles are visible on the surface of this item. A few small bloodstains are located near the holes on the inside surface. By loosely overlaying the sweater over the shirt in Exhibit 28, these holes near the collar may be aligned over the holes on the back surface of the shirt. Chemical and physical examination of the hole on the left side of the sweater reveals the muzzle to sweater distance to be contact. Chemical and physical examination of the bullet entrance hole on the right back reveals a

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muzzle to sweater distance of approximately 6 - 9".

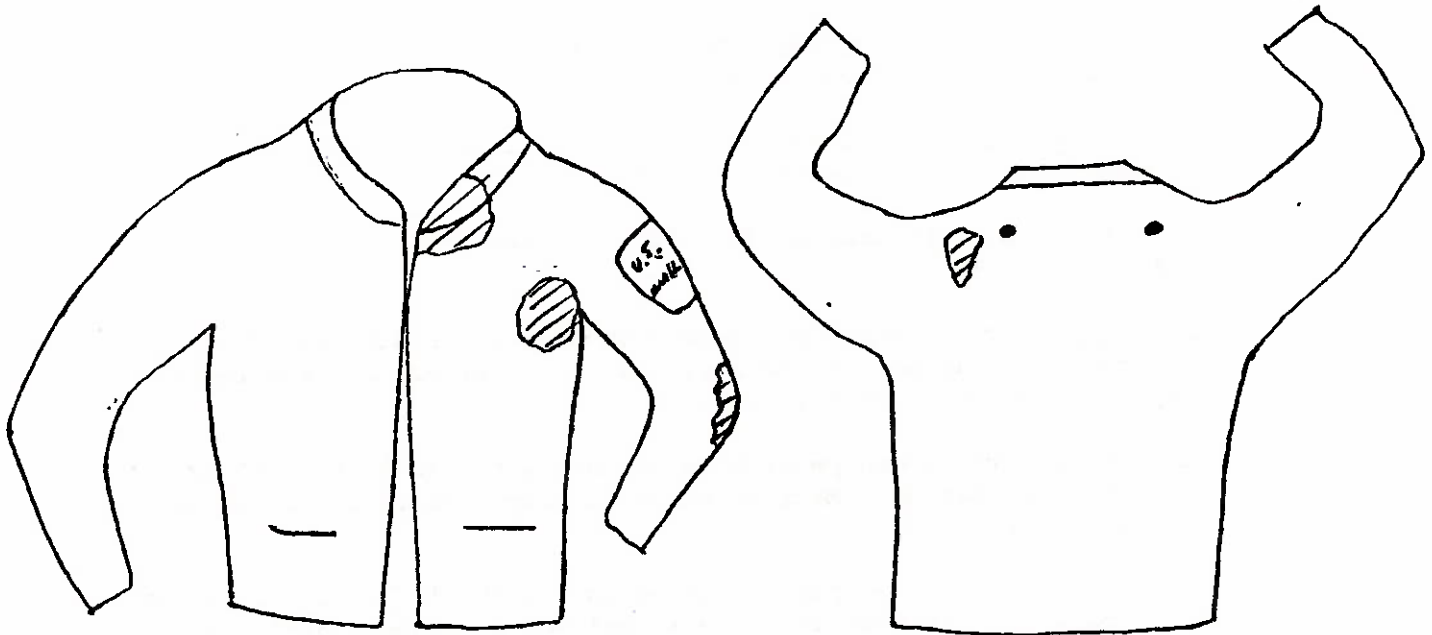
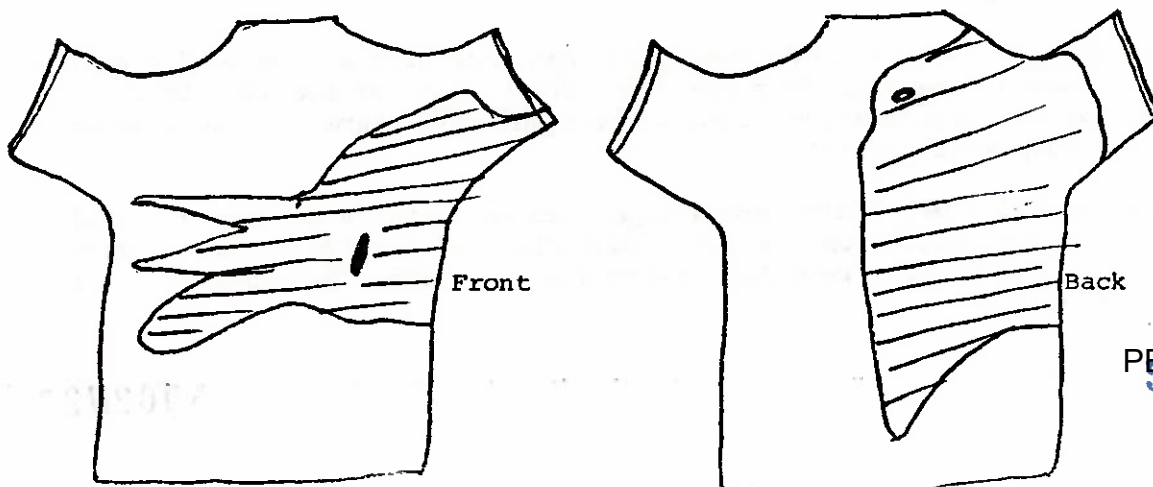


Exhibit 30 - One sealed brown paper bag enclosing one pair of brown corduroy pants labeled "Rustler." A blue elastic belt is attached to the pants. Examination reveals several bloodstains on the back hip and back of both pant legs.

This exhibit was reportedly worn by Christine Downs:

Exhibit 31 - One sealed brown paper bag enclosing a small multistriped pullover shirt labeled "Health-Tex 6X." Examination of the front reveals large bloodstains over most areas of this item. A hole, approximately $\frac{1}{4}$ " wide and $\frac{1}{2}$ " long, is located 3" from the edge seam and 7" from the top of the shoulder. Microscopic examination of this bullet entrance hole reveals a gunpowder particle pattern with a maximum diameter of 2". Examination of the shirt back reveals a $\frac{1}{4}$ " hole located in the shirt midline $2\frac{3}{4}$ " below the top of the collar. Dried blood is visible over most areas of this item. Chemical and physical examination reveals the muzzle to shirt distance has not been established at this time.

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Exhibit 32 - One vial of liquid blood from Cheryl Lynn Downs. Serological examination reveals the ABO blood group to be Group O.

Exhibit 33 - One sealed envelope enclosing bloodstained swabs. This blood was collected from the right rear seat.

Exhibit 34 - One sealed envelope enclosing bloodstained swabs. This blood was collected from the right front floor.

The following additional evidence was received from Sgt. Peckels on May 24, 1983:

Exhibit 35 - Two brown paper bags enclosing the right rear floor mat from the 1983 Datsun. Microscopic and chemical examination reveals gunpowder particles on this item.

Exhibit 36 - Two brown paper bags enclosing the left front floor mat from the 1983 Datsun. Microscopic examination fails to reveal any gunpowder particles.

Exhibit 37 - Two brown paper bags enclosing the left rear floor mat. Microscopic examination fails to reveal any gunpowder particles.

Exhibit 38 - One sealed brown paper bag enclosing one blue nylon jacket removed from the floor behind the driver's seat of the 1983 Datsun. Examination reveals a bloodstain on the collar. Serological examination reveals the ABO blood group to be Group O.

Exhibit 39 - One sealed brown paper bag enclosing a paperfold containing vacuum sweepings from the right front seat (passenger) of the 1983 Datsun. Microscopic examination reveals assorted small items and gunpowder particles.

Exhibit 40 - One sealed brown paper bag enclosing a paperfold containing vacuum sweepings from the left front (driver's) seat of the 1983 Datsun. Microscopic examination fails to reveal the presence of any gunpowder particles.

Exhibit 41 - One sealed brown paper bag enclosing a paperfold containing vacuum sweepings from the rear seat of the 1983 Datsun. Microscopic examination reveals assorted small items including gunpowder particles.

Exhibit 42 - One sealed brown paper bag enclosing a paperfold containing vacuum sweepings from the right front floor of the 1983 Datsun. Microscopic examination reveals assorted small items and one fragment of a gunpowder particle.

Exhibit 43 - One sealed brown paper bag enclosing a paperfold containing vacuum sweepings from the left front floor of the 1983 Datsun. Microscopic examination revealed assorted small items. No gunpowder particles were visible.

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Exhibit 44 - One sealed brown paper bag enclosing a paperfold containing vacuum sweepings from the rear seat floor. Microscopic examination revealed assorted small items including gunpowder particles.

The following additional evidence was received from Paul Alton, Lane County District Attorney's office on June 2, 1983:

Exhibit 45 - One plastic vial enclosing one damaged copper washed .22 caliber bullet wrapped in blue tissue paper. The total weight of this bullet is 36 grains. Microscopic examination reveals approximately one half the land and groove impressions are destroyed. Microscopic comparison of this bullet to bullets in Exhibits 1, 2, and 7 reveals the class characteristics are similar. Due to the type of bullet (copper washed) and subsequent damage, the writer is unable to effect a match, however, it is the writer's opinion that this bullet cannot be excluded from having been fired through the barrel of the same weapon as the bullets in Exhibits 1, 2, and 7.

Exhibit 46 - One sealed envelope enclosing numerous .22 rimfire cartridge casings reportedly removed from a site near the Fredrickson house in Arizona. Examination of tool marks on these casings fails to reveal any characteristics identical to marks on the casings found in the 1983 Datsun and on Old Mohawk Road.

Exhibit 47 - one sealed envelope enclosing several .22 rimfire cartridge casings reportedly fired near a farmer's garbage dump. Examination fails to reveal any tool marks on these casings identical to the casings found in the 1983 Datsun and on Old Mohawk Road.

Exhibit 48 - One sealed envelope enclosing five (5) .22 long rifle cartridges headstamped "F." Microscopic examination fails to reveal any tool marks consistent with these items having been in the mechanism of a rifle or pistol.

Exhibit 49 - One sealed envelope enclosing a smaller envelope containing seven (7) .22 rimfire cartridges headstamped "U." Examination fails to reveal any tool marks consistent with these items having been in the mechanism of a rifle or pistol.

Exhibit 50 - One sealed envelope enclosing three (3) boxes of "Federal Lightning" brand .22 long rifle cartridges. One box is incomplete and contains twelve (12) rounds. Examination fails to reveal any tool marks consistent with these items having been through the mechanism of a rifle or pistol.

The following additional evidence was received on May 26, 1983 from Sgt. Peckels:

Exhibit 51 - One sealed envelope enclosing a white envelope containing

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a .22 caliber lead bullet weighing 38.8 grains. This bullet was reportedly removed from Christie Downs. Microscopic comparison of this bullet to bullets in Exhibits 1, 2, and 7 reveals they were fired through the barrel of the same weapon.

Exhibit 52 - One sealed brown paper bag enclosing numerous small rocks. Examination reveals dried human blood on several of the rocks. Serological examination reveals the ABO blood group to be indicative of Group O.

The following is a graphical illustration of serological tests performed in this case.

<u>Exhibit</u>	<u>Item</u>	<u>ABO</u>	<u>GLO</u>	<u>ESD</u>	<u>PGM</u>	<u>ADA</u>	<u>EAP</u>	<u>AK</u>
21	Diane	O	2	1	2-1	1	BA	1
25	Stephen	A	*	*	*	*	*	*
31	Christine	O	2	2-1	2-1	1	BA	1
32	Cheryl	O	2	1	2-1	1	A	1
33	Back seat	O	2	2-1	2-1	1	BA	1
34	Front floor	O	2	1	2-1	1	A	1
52	Rocks	Indic	2	1	2-1	1	BA	1
18	School	N	*	1	1	N	N	N

* - Inconclusive

N - Test not performed

Summary

The blood from the Mohawk school (18) is dissimilar to blood from Diane, Cheryl or Christine Downs. Blood found in the gravel in the Mohawk area (52) is dissimilar to Cheryl or Christine, however, Diane Downs cannot be excluded by these tests. If necessary, these tests may be repeated on a fresh blood sample from Stephen Downs.

John C. Williams, Superintendent

By

James O. Pex, Criminalist
1266-90

JOP:mw


cc: DA, Lane County

5002730

This is certified to be a true and correct copy of the original report and is
undisputed. PET. EX. 1

By

James O. Pex

From: SOONG Cari G (LCSO) cari.soong@lanecountyor.gov 
Subject: RE: 83-3268 Diane Downs
Date: May 23, 2023 at 11:17 AM
To: Salmon Leigh A leigh.a.salmon@doj.state.or.us, MILLER JoAnn O joann.miller@lanecountyor.gov
Cc: EGBERT Haley K haley.EGBERT@LaneCountyor.gov

SG

It is in a plastic evidence bag, but it looks like maybe it was originally stored in a small manila coin envelope and when it was shown in court the gum was removed because there is a small piece of what looks like manila envelope stuck to the gum.

I took a pic for reference.

From: Salmon Leigh A <leigh.a.salmon@doj.state.or.us>
Sent: Tuesday, May 23, 2023 11:14 AM
To: MILLER JoAnn O <joann.miller@lanecountyor.gov>; SOONG Cari G (LCSO) <cari.soong@lanecountyor.gov>
Cc: EGBERT Haley K <haley.EGBERT@LaneCountyor.gov>
Subject: RE: 83-3268 Diane Downs

[EXTERNAL 

Cari, could you let me know how the gum has been stored—e.g., in a paper bag, in a wad of paper in the bottom of a box, etc.?

Thanks!

Leigh A. Salmon
Sr. Assistant Attorney General | Appellate Division
Oregon Department of Justice
1162 Court Street NE, Salem OR 97301-4096
503.378.4402

From: MILLER JoAnn O <joann.miller@lanecountyor.gov>
Sent: Tuesday, May 23, 2023 11:12 AM
To: SOONG Cari G (LCSO) <cari.soong@lanecountyor.gov>
Cc: EGBERT Haley K <haley.EGBERT@LaneCountyor.gov>; Salmon Leigh A <leigh.a.salmon@doj.state.or.us>
Subject: RE: 83-3268 Diane Downs

CAUTION EXTERNAL EMAIL This email originated from outside of DOJ. Treat attachments and links with caution. ***CAUTION EXTERNAL EMAIL***

Ok :) Thank you for responding so quickly!

From: SOONG Cari G (LCSO)
Sent: Tuesday, May 23, 2023 11:11 AM
To: MILLER JoAnn O <joann.miller@lanecountyor.gov> PET. EX. 1
Cc: EGBERT Haley K <haley.EGBERT@LaneCountyor.gov>; 'Salmon Leigh A'

CC: EGBERT Haley K <haley.EGBERT@LaneCountyor.gov>, Salmon Leigh A <leigh.a.salmon@doj.state.or.us>

Subject: RE: 83-3268 Diane Downs

Yes, we do have it. I'm pretty sure it's on its way to being fossilized by now, but we have it 😊

From: MILLER JoAnn O

Sent: Tuesday, May 23, 2023 11:10 AM

To: SOONG Cari G (LCSO) <cari.soong@lanecountyor.gov>

Cc: EGBERT Haley K <haley.EGBERT@LaneCountyor.gov>; Salmon Leigh A <leigh.a.salmon@doj.state.or.us>

Subject: RE: 83-3268 Diane Downs

Hi Cari,

I received all the Exhibit Lists, but just confirming that the "gum" actually exists in evidence per emails below? Thank you!

jo

From: MILLER JoAnn O

Sent: Monday, May 15, 2023 11:39 AM

To: Salmon Leigh A <leigh.a.salmon@doj.state.or.us>

Subject: FW: 83-3268 Diane Downs

From: EGBERT Haley K

Sent: Monday, May 15, 2023 11:38 AM

To: MILLER JoAnn O <joann.miller@lanecountyor.gov>

Subject: RE: 83-3268 Diane Downs

:)

From: MILLER JoAnn O <joann.miller@lanecountyor.gov>

Sent: Monday, May 15, 2023 11:37 AM

To: EGBERT Haley K <haley.EGBERT@LaneCountyor.gov>; SOONG Cari G (LCSO) <cari.soong@lanecountyor.gov>

Subject: RE: 83-3268 Diane Downs

Hi Cari,

Anyone ever locate #15 – gum? Do you have an Exhibit list? Thanks

jo

From: EGBERT Haley K

Sent: Tuesday, May 9, 2023 2:43 PM

To: MILLER JoAnn O <joann.miller@lanecountyor.gov>

Subject: RE: 83-3268 Diane Downs

Okay sounds good. Cari found it and confirmed it can be sent to the lab if that's what is

decided. Just let me know 😊

From: MILLER JoAnn O <joann.miller@lanecountyor.gov>
Sent: Tuesday, May 9, 2023 2:29 PM
To: EGBERT Haley K <haley.EGBERT@LaneCountyor.gov>
Subject: RE: 83-3268 Diane Downs

No date yet ... Not sure if it will be ordered to be tested or not by a Judge, but thank you for checking on its status. I imagine the AG's will argue that there is no basis for the testing, but either way at least we can let them know if the gum still exists and is in evidence...?? Thank you!!

From: EGBERT Haley K
Sent: Tuesday, May 9, 2023 2:12 PM
To: MILLER JoAnn O <joann.miller@lanecountyor.gov>
Subject: FW: 83-3268 Diane Downs

FYI... Is there a date the lab needs to complete testing by?

From: SOONG Cari G (LCSO) <cari.soong@lanecountyor.gov>
Sent: Tuesday, May 9, 2023 2:10 PM
To: EGBERT Haley K <haley.EGBERT@LaneCountyor.gov>
Subject: RE: 83-3268 Diane Downs

Well shoot. #15 on the attached list does appear to be a piece of gum. I'll get the old box of Downs stuff down again and go digging.

From: EGBERT Haley K
Sent: Tuesday, May 9, 2023 1:38 PM
To: SOONG Cari G (LCSO) <cari.soong@lanecountyor.gov>
Subject: 83-3268 Diane Downs

Hey Cari,

This case is once again up for post-conviction relief, due to a statute about DNA testing. Defense is requesting DNA testing be done on a piece of chewing gum. They believe it was used as a trial exhibit but I am honestly not sure if that is true or not. When you have time, can you check and see if this is in evidence? If it is, we will have to send it to OSP for DNA testing.

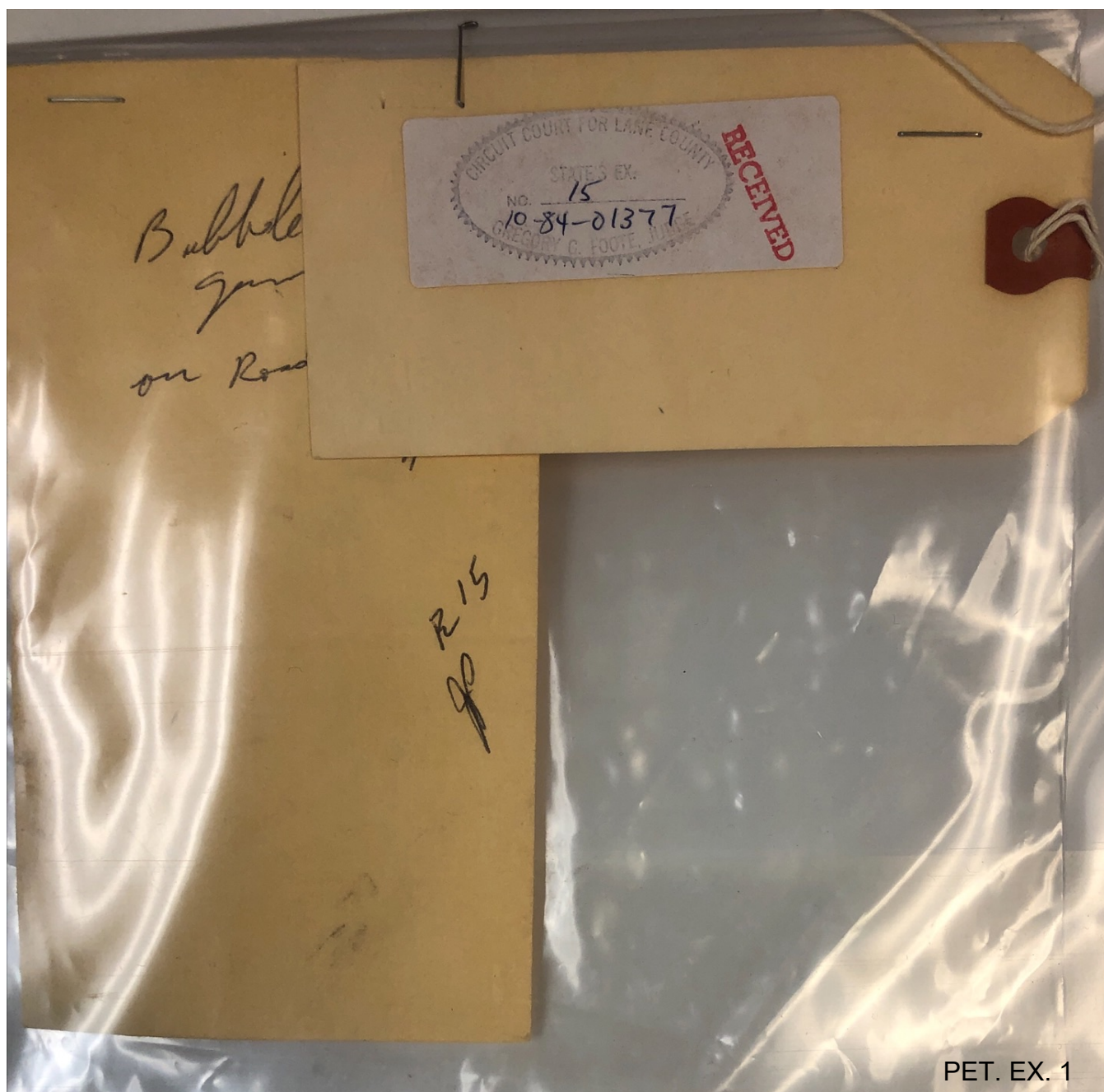
Thank you!

Haley Egbert
Paralegal (Major Crimes Division)
Lane County District Attorney's Office
125 E 8th Ave. Room #400
Eugene, OR 97401
541-682-4048
Haley.Egbert@lanecountyor.gov

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