

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT,
IN AND FOR PALM BEACH COUNTY, FLORIDA
CRIMINAL DIVISION "X"

CASE NO.: 50-2017-CF-008722-AXXX-MB

STATE OF FLORIDA

vs.

SHEILA KEEN-WARREN,
Defendant

**DEFENDANT'S RESPONSE IN OPPOSITION TO STATE'S MOTION IN LIMINE
TO EXCLUDE TESTIMONY OF MICHAEL LAFORTE**

The Defendant, Sheila Keen-Warren, through undersigned counsel, respectfully submits this Response in Opposition to the State's Motion in Limine to Exclude Testimony of Michael LaForte, in Part, Pursuant to Daubert Merrell Dow Pharmaceuticals [D.E. No. 956], and in support thereof states:

INTRODUCTION

"Few rights are more fundamental than that of an accused to present witnesses in his own defense." *Chambers v. Mississippi*, 410 US 284, 302 (1973). The State moves this Court to limit the testimony of Sheila Keen-Warren's crime scene expert, Michael LaForte, and in doing so, inhibits Ms. Keen-Warren's ability to present a meaningful defense. The State wants to present evidence that its crime scene detectives properly processed the crime scene but seeks to prohibit Ms. Keen-Warren from introducing testimony that its detectives did not properly process the crime scene. The State's request is improper, unfair, and unconstitutional. Under such parameters, Ms. Keen-Warren will be hampered from presenting a rebuttal case to the State's case, which is a violation of her state and federal constitutional rights.

BACKGROUND

Michael LaForte is a distinguished forensic consultant who specializes in crime scene and shooting reconstruction, bloodstain pattern analysis, crime scene photography and diagramming, and evidence processing and collection procedures. He has over 30 years of law enforcement experience, which includes 16 years as a crime scene detective.¹ Mr. LaForte has investigated over 9,500 crime scenes and handled over 800 forensic death scene investigations.

He has testified at trial as an expert witness in Florida—including twice in the 15th Judicial Circuit—and Alabama, and he has been qualified as an expert witness in crime scene processing techniques, shooting reconstruction, and bloodstain pattern analysis. Mr. LaForte has authored and published three books in crime scene processing. He has also provided law enforcement training in Florida, Georgia, Alabama, South Carolina, Louisiana, South Dakota, Mississippi, and Peru. *See generally*, Exhibit 1, Michael F. LaForte, Curriculum Vitae (Feb. 27, 2023).

The State minimizes the materials Mr. LaForte relied on in forming his expert opinion, suggesting that he relied on “the photographs from the crime scene, multiple crime scene reports, autopsy photographs, CSI reports and lab reports.” State’s Mot. at 4. The State is well aware that Mr. LaForte relied on over 1,072 photographs, 654 pages of offense and supplemental offense reports, 307 pages of lab reports and bench notes, 12 deposition transcripts totaling 1,691 pages (including Detective Michael Harrison’s 152-page deposition transcript), and 37 pages of assorted Palm Beach County State Attorney emails. Exhibit 2, List of Material Received and Reviewed (Sept. 9, 2022); *see also* State’s Mot. in Limine, Ex. D, LaForte’s Dep. 5:24-10:14 (Oct. 12, 2022) (discussing materials reviewed to render opinion).

¹ Notably, Mr. LaForte was a crime scene detective in 1990 during the Marlene Warren murder investigation.

RESPONSE

This Court Should Deny the State's *Daubert* Motion to Preclude the Defense Expert from Offering an Opinion Regarding Mistakes with the Processing of the Crime Scene.

Michael LaForte, a crime scene reconstruction expert and former crime scene detective, will testify, in part, that Detective Michael Harrison failed to properly process the crime scene after Marlene Warren's shooting. The State argues that the Court should exclude Mr. LaForte's testimony on the ground that he provides "'pure opinions' based on nothing more than his own personal experiences." *Id.* at 4. Yet, in the same breath, the State concedes that Detective Michael Harrison's "decision on how to process the scene was based on his training and experience as well as direction from other detectives and other evidence." State's Mot. at 3. The State's argument is based on a misunderstanding of "pure opinion" testimony.

According to the State, "[t]he adoption of the *Daubert* standard by the Florida Legislature made it clear that 'pure opinion' testimony by expert witnesses was no longer admissible." State's Mot. at 6 (citing *Booker v. Sumter County Sheriff's Office*, 166 So. 3d 189, 192 (Fla. 1st DCA 2015)). This is incorrect. In *Booker*, the court observed that "[t]he Legislature's adoption of the *Daubert* standard reflected its intent to prohibit 'pure opinion testimony, **as provided in *Marsh v. Valyou*, 977 So. 2d 543 (Fla. 2007).**" *Booker*, 166 So. 3d at 192 (quoting Ch. 13-107, § 1, Laws of Fla.) (emphasis added). In *Marsh*, the Florida Supreme Court held that the *Frye* standard did not apply to "pure opinion" testimony. *Marsh*, 977 So.2d at 548. Thus, "[i]n prohibiting pure opinion testimony 'as provided in *Marsh*[,] the Florida Legislature did not create a per se prohibition. It simply brought Florida in line with the federal *Daubert* standard" *United Auto. Ins. Co. v. Progressive Rehab. & Orthopedic Servs., LLC*, 324 So. 3d 1006, 1010 (Fla. 3d DCA 2021).

Furthermore, the *Daubert* standard does not prohibit expert opinion testimony based on experience. *State Farm Mutual Auto. Ins. Co. v. M & E Diagnostic Servs., Inc.*, 327 So. 3d 363, 365 (quoting *Progressive Rehab.*, 324 So. 3d at 1010); *see also State Farm Mutual Auto. Ins. Co. v. Imaging Ctr. of West Palm Beach, LLC*, 327 So. 3d 323, 326 n.1 (expert opinion testimony can be based on experience). “Nothing in the rule prohibits expert opinion testimony based on experience. Indeed, the plain language of section 90.702 permits an expert to be qualified by ‘knowledge, skill, experience, training, or education’” *Progressive Rehab.*, 324 So. 3d at 1010; *see also Am. Gen. Life Ins. Co. v. Schoenthal Family, LLC*, 555 F.3d 1331, 1338 (11th Cir.. 2009) (experience alone can form basis for expert testimony).

“Pure opinion testimony is based solely on the expert’s experience, without relation to the actual condition of the person in the relevant case.” *M & E Diagnostic Servs.*, 327 So. 3d at 365 (quoting *United Auto. Ins. Co. v. Cent. Therapy Ctr., Inc.*, 325 So. 3d 252, 255) (Fla. 3d DCA 2021)). Pure opinion testimony does not satisfy *Daubert* when it is based “entirely upon speculation, surmise and conjecture.” *Cf. id.* (quoting *Progressive Rehab.*, 324 So. 3d at 1009).

For this reason, in *Progressive Rehabilitation*, 324 So. 3d at 1010, the court held that the expert’s opinion satisfied *Daubert* because it “was not a speculative, bare assertion,” but instead “was based on her education, experience, and her review of various relevant documents.” Similarly, in *M & E Diagnostic Services*, 327 So. 3d at 365, the court held that the doctor’s testimony was “not pure opinion testimony based on speculation or conjecture.” The court reasoned that the doctor’s testimony “was based on the doctor’s personal knowledge, expertise in the relevant community and evaluation of the medical records” *Id.*

Moreover, the Fourth District Court of Appeal stressed that the *Daubert* test of reliability is flexible, and the “*Daubert* list of ‘facts neither necessarily nor exclusively applies to all experts

or in every case.” *Walker v. State*, 308 So. 3d 193, 196-97 (quoting *Kumho Tire Co. v. Carmichael*, 526 U.S. 137, 141 (1999)). “*Daubert* makes clear that the factors it mentions do not constitute a ‘definitive checklist or test.’” *Id.* at 197 (quoting *Kumho Tire Co.*, 526 U.S. at 150). The United States Court of Appeals for the Eleventh Circuit observed that “[s]tandards of scientific reliability, such as testability and peer review, do not apply to all forms of expert testimony.” *Schoenthal Family*, 555 F.3d at 1338 (quoting *Kumho Tire Co.*, 526 U.S. at 151). Thus, when evaluating “nonscientific expert testimony, ‘the trial judge must have considerable leeway in deciding in a particular case how to go about determining whether particular expert testimony is reliable.’” *Id.* (quoting *Kumho Tire Co.*, 526 U.S. at 152).

In *Baan v. Columbia County*, 180 So. 3d 1127, 1133 (Fla. 1st DCA 2015), the First District quotes Professor Ehrhardt for a practical approach to evaluating expert testimony based on experience: “When an expert is relying primarily on experience, the witness must explain how that experience leads to the opinion, why the experience is a sufficient basis for the opinion and how that experience is reliably applied to the facts. *Id.* (quoting Charles W. Ehrhardt, 1 Fla. Prac., *Florida Evidence* § 702.3 (2015 ed.)). Pursuant to section 90.702, “while the expert’s qualifications may well remain germane, an expert witness must explain the logic and relevance of the expert opinion.” *Id.*

As such, the *Baan* court held that a doctor’s expert “opinions on the standard of care and the consequences of failing to adhere to that standard are therefore admissible even under *Daubert*, whose gatekeeping function was ‘not intended to supplant the adversary system or the role of the jury’” 180 So. 3d at 1134 (internal citations omitted). In concluding that “the trial court made a factual determination that should have been left to the jury,” the appellate court reasoned

that, “[i]n forming opinions, an expert is entitled to rely on any view of disputed facts the evidence will support.” *Id.* at 1132.

In the instant matter, the State challenges Mr. LaForte’s methodology and complains that he rendered his opinion “even though he was not present at the scene when it was processed.” State’s Mot. at 6. In addressing a similar challenge in a § 1983 action, one federal court found:

The defendants do not challenge [the expert’s] qualifications. They attack his methodology with respect to crime scene investigation. Nevertheless, I find that his methodology is neither unreliable nor irrelevant. To the contrary, he possesses scientific, technical, and specialized knowledge by virtue of his experience as a crime scene investigator and weapons expert, that qualifies him to render an opinion about the events in question. *The defendants fail to provide any support for the proposition that [the expert] must be excluded simply because he bases his opinion on an evaluation of the evidence gathered by persons other than him. . . .* Any flaws in [the expert’s] otherwise reliable methodology go to the weight and credibility of the evidence and not to its admissibility. The adversary process provides mechanisms to address any such flaws.

Gonzalez-Perez v. Gomez-Aguila, 296 F.Supp.2d 110, 113 (D.P.R. 2003) (emphasis added) (internal citations omitted).

Here, Mr. LaForte’s opinions, like the expert opinions in *Progressive Rehabilitation* and *M & E Diagnostic Services*, satisfy *Daubert* because they are not speculative, bare assertions, but instead are based on his education, experience, and his review of various relevant documents. In terms of his experience, his opinions are based on his 30 years in law enforcement (16 years as a crime scene detective) and 12 years as a crime scene reconstruction expert and senior forensic consultant. His experience also includes authoring and publishing three books on crime scene reconstruction. Additionally, his opinions are based on his review of all of the relevant evidence in this case: over 1,072 photographs, 654 pages of offense and supplemental offense reports, 307 pages of lab reports and bench notes, 12 deposition transcripts totaling 1,691 pages (including Detective Michael Harrison’s 152-page deposition transcript), and 37 pages of assorted Palm

Beach County State Attorney emails. The fact that he based his opinion on an evaluation of the work performed by other people is of no consequence. *See Gonzalez-Perez*, 296 F.Supp.2d at 113.

Aside from the subject matter, Mr. LaForte's methodology and opinions are very similar to the expert's opinions in *Baan*, where the First District Court of Appeal held that opinions on the standard of care and the consequences of failing to adhere to that standard are admissible under *Daubert*. *See Baan*, 180 So. 3d at 1133. Mr. LaForte will testify about the proper way to process a crime scene (based on the available resources in 1990), i.e., the relevant professional standard. He will testify about the issues that arose and the evidence that may have been overlooked based on Detective Harrison's failure to properly process the scene, i.e., the consequences of failing to adhere to that standard of care.

The State alleges that Mr. LaForte "disregarded clearly observable facts that would contradict his opinions." State's Mot. at 7. For example, the State writes, "He further disregarded witness statements to Detective Williams that the Pontiac Firebird was the car that made tire track marks in the grass next to the Warren home." Conveniently, when requesting that this Court continue to hold Ms. Keen-Warren no bond, these are the same witness statements the State argued were unreliable and should be given little weight. Even so, Mr. LaForte does not "disregard" these statements, but instead maintains that eyewitnesses can be wrong, so crime scene investigators should not fail to thoroughly process crime scenes based on witness statements. In forming his expert opinions, Mr. LaForte is permitted to rely on any view of disputed facts the evidence will support. *See Baan*, 180 So. 3d at 1134. It is the function of the jury, not the court, to sift through these disputed issues of fact.

In sum, Mr. LaForte's opinions are based on facts and the accepted procedures in 1990. These procedures were performed not only by Mr. LaForte at thousands of crimes scenes, but also

by crime scene investigators nationwide. For example, crime scene detectives should take all relevant photographs at a crime scene by whatever means possible, no matter the weather or the type of camera that was in use. Detective [REDACTED] failed to do so. Crime scene detectives should process every surface or item relevant to the investigation for the presence of physical evidence. Detective [REDACTED] failed to do so, and Mr. LaForte believes that Detective [REDACTED]'s failure to do so does not comport with proper crime scene investigation.

The State's motion to exclude portions of the testimony of Michael LaForte violates Ms. Keen-Warren's rights pursuant to the Fifth, Sixth, and Fourteenth Amendments to the United States Constitution, and Article I, sections 9 and 16 of the Florida Constitution. This Court should deny the State's request because any challenges to Mr. LaForte's qualifications go to the weight of his testimony, and not to its admissibility. Excluding this testimony will violate Ms. Keen-Warren's constitutional right to due process, effective assistance of counsel, and present a meaningful defense. For these reasons, this Court should deny the State's motion in limine without a *Daubert* hearing and permit Mr. LaForte to testify to the detective's mistakes in processing the crime scene at the Warren's residence.

WHEREFORE, Ms. Keen-Warren respectfully requests that this Court deny the State's Motion in Limine to Exclude Testimony of Michael LaForte.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by e-service to Reid Scott, Assistant State Attorney, at RScott@sa15.org; Aleathea McRoberts, Assistant State Attorney, at AMcRoberts@sa15.org; Amy Morse, Esq., Attorney for the Defendant, at Amy@MorseLegal.com; and Jesse W. Isom, Esq., Attorney for the Defendant, at Jesse@RosenfeldLegal.com, on this 2nd day of March, 2023.

/s/ Greg Rosenfeld

Greg Rosenfeld, Esq.

LAW OFFICES OF GREG ROSENFELD, P.A.

EXHIBIT 1

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Curriculum Vitae

Michael F. LaForte

Forensic Consultant

15153 River Hills Road, Glen St. Mary, FL 32040, 904-704-2241, email: mikelaforte888@gmail.com

SUMMARY

Mr. LaForte reconstructs crime scenes, particularly those involving gunfire, and is an expert in crime scene reconstruction, shooting incidents, bloodstain pattern analysis, evidence collection procedures, and related topics. Mr. LaForte has over 30 years of law enforcement experience in patrol and crime scene investigations. He has provided law enforcement training in Florida, Georgia, Alabama, South Carolina, Louisiana, South Dakota, Mississippi, and Peru. Mr. LaForte has testified at trial as an expert witness in state courts in Florida and Alabama.

Areas of Specialty

Crime Scene and Shooting Reconstruction
Bloodstain Pattern Analysis
Crime Scene Photography & Diagramming
Evidence Processing & Collection Techniques

Summary of Qualifications

30+ Years Sworn Law Enforcement Experience
Extensive Teaching and Presentation Experience
Investigated over 9,500 Crime Scenes
Handled 800+ Forensic Death Scene Investigations
Court qualified Expert Witness in Crime Scene Processing Techniques, Shooting Reconstruction, and Bloodstain Pattern Analysis

Certifications

03/09 State Certified Law Enforcement Officer Florida Dept. of Law Enforcement (Expired 2013)

11/03 Law Enforcement Vehicle Operations Instructor Florida Dept. of Law Enforcement (Expired)

11/96 Criminal Justice Instructor Florida Dept. of Law Enforcement (Expired)

4/75 Law Enforcement Officer Florida Dept. of Law Enforcement (Expired 2007)

February 27, 2023

Education

1/09 35 Hours toward Associate of Arts in Criminal Justice, Florida State College of Jacksonville

1980's 21 Hours toward Associate of Arts Florida Community College of Jacksonville

6/71 High School Graduate Terry Parker High School

Professional Experience

06/11 – 6/22: Knox & Associates, Senior Forensic Consultant

04/10 – 06/11: Detective, Nassau County Sheriff's Office

10/09 – 04/10: Police Officer Duval County School Police Dept.

08/03 – 12/10: Eagle Crime Scenes, Inc. President / Author / Instructor Glen St. Mary, FL

01/03 – 12/10: Florida State College of Jacksonville Jacksonville, FL

- Adjunct Instructor, Basic Law Enforcement Subjects
- Adjunct Instructor, Police Vehicle Operations

3/74 – 08/03: Office of the Sheriff, Jacksonville, FL

- Detective, Crime Scene Unit (07/88 – 08/03)
- Patrol Officer (12/74 – 07/88)
- Dispatcher (3/74 – 12/74)

CRIME SCENE INVESTIGATION TRAINING

2011 Optics, Lighting, & Visibility for the Forensic Investigator, Clearly Visible Presentations, 32 hours (Westchester, OH)

10/10 Large Vehicle Operations Northeast Florida Criminal Justice Training Academy, Jacksonville, 16 Hours

11/06 Evidence Photography & Imaging Evidence Photographers International Council, Long Beach, CA, 24 Hours

08/06 Forensic Science for Law Professionals University of Florida Forensic Science Program, Online Course

04/03 Cold Case Homicide Investigation Methodology Northeast Florida Criminal Justice Training Center, 24 Hours

09/02 Traffic Homicide Investigation Institute of Police Technology and Management, 80 Hours

09/02 Advanced Traffic Homicide Investigation Institute of Police Technology and Management, 80 Hours

02/02 Advanced Bloodstain Interpretation Institute of Police Technology and Management, 40

February 27, 2023

Hours

07/01 Scene Mapping using Speed Lasers Institute of Police Technology and Management, 40 Hours

06/99 Weapons of Mass Destruction Responder Course US Dept. of Justice, Ft. McClelland, Alabama, 40 Hours

04/99 SCBA & Level "A" Suit Course Jacksonville Fire Rescue Training Center, 16 Hours

04/99 Hazardous Materials Basic Concepts Jacksonville Fire Rescue Training Center, 24 Hours

11/98 Practical Homicide Investigation Public Agency Training Council, 24 Hours

07/98 Forensic Entomology and Decomposition University of Tennessee Body Farm, 18 Hours

04/98 Forensic Mapping Specialist Training Northeast Florida Criminal Justice Training Center, 40 Hours

10/97 Forensic Entomology Central Florida Community College, 16 Hours

03/97 Death Investigation; Crime Scene Interpretation Cape Fear Community College, Wilmington, NC, 14 Hours

10/96 Buried Body Excavation Workshop International Association for Identification Conference, 8 Hours

08/96 Forensic Entomology for Legal Investigation Kirkpatrick Criminal Justice Training Center, 8 Hours

08/95 Robbery Homicide Conference Northeast Florida Criminal Justice Training Center, 40 Hours

10/94 Crime Scene Conference Florida Division, International Association for Identification, 16 Hours

09/94 Forensic Crime Scene Techniques Northeast Florida Criminal Justice Training Center, 40 Hours

11/92 Practical Crime Scene Workshop Northeast Florida Criminal Justice Training Center, 40 Hours

11/92 Practical Crime Scene Workshop Institute of Police Technology and Management, 40 Hours

03/88 Crime Scene Photography Northeast Florida Criminal Justice Training Center, 40 Hours

03/88 Crime Scene Procedures Northeast Florida Criminal Justice Training Center, 40 Hours

CRIMINAL JUSTICE INSTRUCTOR TRAINING

11/03 Police Vehicle Operations Instructor (CMS) Northeast Florida Criminal Justice Training Center, 40 Hours

10/03 Instructor Techniques (CMS) Northeast Florida Criminal Justice Training Center, 12 Hours

February 27, 2023

11/96 Instructor Techniques Northeast Florida Criminal Justice Training Center, 80 Hours

GENERAL LAW ENFORCEMENT TRAINING

11/87 Field Training Officer Northeast Florida Criminal Justice Training Center, 40 Hours

06/83 Radar Operator Northeast Florida Criminal Justice Training Center, 40 Hours

01/75 Police Recruit Training Northeast Florida Criminal Justice Training Center, 520 Hours

PAPERS, ARTICLES, and PUBLICATIONS

Guide to Examination Quality Photography. LaForte, Michael F., Glen St. Mary, FL.; Eagle Crime Scenes, Inc., 102 pages. First Edition, Published August, 2009

Crime Scene Processing, Version 2.0 DVD Software Program. Multimedia e-book; LaForte, Michael F & Knox, Michael A.; Eagle Crime Scenes, Inc., Glen St. Mary, FL ; Published/Released May, 2008

Crime Scene Processing: Basic Principles and Practices for the Successful Identification, Documentation, Processing and Collection of Physical Evidence at Crime Scenes. LaForte, Michael F., Glen St. Mary, FL, Eagle Crime Scenes, Inc., 430 pages. First Edition, Published November, 2004

PRESENTATIONS and INSTRUCTIONAL EXPERIENCE

05/10 Crime Scene Photography Workshop, Eagle Crime Scenes, Inc., Pierre, South Dakota, 40 Hours

09/09 Crime Scene Processing Workshop, Eagle Crime Scenes, Inc., Jacksonville, FL., CSX Railroad Police, 40 Hours

08/09 Crime Scene Processing Lecture & Demonstration, Eagle Crime Scenes, Inc., Lima, Peru, South America, 30 Hours

08/09 Crime Scene Photography Workshop, Eagle Crime Scenes, Inc., IAI Annual Conference, Tampa, FL., 8 Hours

08/09 Crime Scene Photography Workshop, Eagle Crime Scenes, Inc., Waycross, Georgia Police Department, 16 Hours

05/09 Crime Scene Processing Workshop, Eagle Crime Scenes, Inc., Mitchell, South Dakota, 40 Hours

04/09 Crime Scene Processing Workshop, Eagle Crime Scenes, Inc., Orange Park, Florida, 40 Hours

03/09 Crime Scene Processing Procedures, Eagle Crime Scenes, Inc., Live Oak Police Dept., Live Oak, Florida

February 27, 2023

02/09 Crime Scene Photography Workshop, Eagle Crime Scenes, Inc., Jacksonville, Florida, 40 Hours

01/09 Crime Scene Procedures, Eagle Crime Scenes, Inc., Baker County High School, MacClenny, Florida

04/08 Crime Scene Processing Workshop, Eagle Crime Scenes, Inc., Sturgis, South Dakota, 40 Hours

03/08 Crash Zone Training, Eagle Crime Scenes, Inc., Apopka, Florida, Police Department, 24 Hours

02/08 Crime Scene Processing Workshop, Eagle Crime Scenes, Inc., Jacksonville, Florida, 40 Hours

01/08 Crime Scene Processing Workshop, Eagle Crime Scenes, Inc., Forest Acres, South Carolina, 40 Hours

10/07 Digital & Film Photography Workshop, Eagle Crime Scenes, Inc., Jacksonville, Florida, 40 Hours

04/07 Crime Scene Processing Workshop, Eagle Crime Scenes, Inc., Jacksonville, Florida, 40 Hours

03/07 Crime Scene Reconstruction of Shooting Incidents, Eagle Crime Scenes, Inc., Jacksonville, Florida, 40 Hours

10/06 Digital & Film Photography Workshop, Eagle Crime Scenes, Inc., Ocala, Florida, 40 Hours

06/06 Crime Scene Processing Workshop, Eagle Crime Scenes, Inc., Ocala, Florida, 40 Hours

02/06 Crime Scene Processing Workshop, Eagle Crime Scenes, Inc. Jacksonville, Florida, 40 Hours

01/06 Crime Scene Processing Workshop, Eagle Crime Scenes, Inc., Jacksonville, Florida, 40 Hours

01/06 Digital & Film Photography Workshop, Eagle Crime Scenes, Inc., Atlanta, Georgia, 40 Hours

10/05 Digital & Film Photography Workshop, Eagle Crime Scenes, Inc., Jacksonville, Florida, 40 Hours

10/05 Blood Spatter Evidence at Crime Scenes, Eagle Crime Scenes, Inc., Jacksonville, Florida, 40 Hours

08/05 Crime Scene Processing Workshop, Eagle Crime Scenes, Inc., Biloxi, Mississippi, 40 Hours

07/05 Crime Scene Processing Workshop, Institute of Police Technology and Management, Jacksonville, Florida, 40 Hours

06/05 Crime Scene Processing Workshop, Institute of Police Technology and Management, Jacksonville, Florida, 40 Hours

February 27, 2023

06/05 Law Enforcement Photography Workshop, Institute of Police Technology and Management, Jacksonville, Florida, 40 Hours

06/05 Blood Spatter Evidence at Crime Scenes, Eagle Crime Scenes, Inc. Jacksonville, Florida, 40 Hours

06/05 Crime Scene Processing Workshop, Institute of Police Technology and Management, West Monroe, LA, 40 Hours

05/05 Crime Scene Photography Workshop, Eagle Crime Scenes, Inc., Jacksonville, Florida, 24 Hours

04/05 Crime Scene Processing Workshop, Institute of Police Technology and Management, Harvey, Louisiana, 40 Hours

03/05 Crime Scene Processing Workshop, Institute of Police Technology and Management, Sturgis, South Dakota, 40 Hours

03/05 Crime Scene Photography Workshop, Eagle Crime Scenes, Inc., Valdosta, Georgia, 40 Hours

03/05 Crime Scene Processing Workshop, Institute of Police Technology and Management, Jacksonville, Florida, 40 Hours

02/05 Crime Scene Processing Workshop, Eagle Crime Scenes, Inc., Jacksonville, Florida, 40 Hours

11/04 Fingerprint Processing Workshop, Eagle Crime Scenes, Inc., Jacksonville, Florida, 8 Hours

09/04 Crime Scene Photography Workshop, Eagle Crime Scenes, Inc., Jacksonville, Florida, 40 Hours

05/04 Crime Scene Procedures for Police Explorers, Eagle Crime Scenes, Inc., Jacksonville, Florida, 8 Hours

04/04 Crime Scene Procedures for Public Defenders, Eagle Crime Scenes, Inc., Jacksonville, Florida, 4 Hours

02/04 Crime Scene Processing Workshop, Eagle Crime Scenes, Inc., Jacksonville, Florida, 40 Hours

10/02 Crime Scene Photography Workshop, Northeast Florida Criminal Justice Training Center, 20 Hours

03/01 – 08/03 Crime Scene Unit Training Instructor Responsible for the continued training of 27 crime scene detectives on a weekly basis. Training conducted included crime scene processing techniques, photography, fingerprint processing techniques, death investigations, evidence handling procedures, processing human bodies for evidence, tire track and footwear impression evidence, forensic entomology, bullet trajectory reconstruction, forensic mapping of crime scenes, chemical processes, computer aided crime scene diagramming, blood evidence and many more. Also responsible for training detective division and patrol division personnel on crime scene processing techniques.

February 27, 2023

03/02 Crime Scene Procedures, Northeast Florida Criminal Justice Training Center, 20 Hours

03/01 Crime Scene Procedures, Northeast Florida Criminal Justice Training Center, 40 Hours

1998 Basic Crime Scene School, Investigative Training Group, Inc., Huntsville, Alabama, 40 Hours

1997 Basic Crime Scene School, Investigative Training Group, Inc., Brunswick, Georgia, 40 Hours

1997 Basic Crime Scene School, Investigative Training Group, Inc., Jacksonville Beach, Florida, 40 Hours

1997 Crime Scene Investigation Seminar, Investigative Training Group, Inc., Biloxi, Mississippi, 40 Hours

PUBLIC SERVICE APPEARANCES

08/08 Crime Scene Presentation, Keiser University, Daytona Beach, FL Campus

- Lectured on crime scene procedures to criminal justice and crime scene technicians classes featuring Crime Scene Processing DVD program

03/06 Crime Scene Procedures, Florida Metropolitan University

- Lectured on crime scene procedures to criminal justice and criminal investigations classes

12/05 Crime Scene Procedures, Florida Metropolitan University

- Lectured on crime scene procedures to criminal justice and criminal investigations classes

03/03 Crime Scene Procedures, Florida Metropolitan University

- Presented crime scene procedures lecture to criminal justice class

COURTROOM TESTIMONY EXPERIENCE

1. Circuit Court, 2nd Judicial Circuit, Liberty County, Florida

a. December 20, 2022 / State of Florida v. Floyd Parrish

2. Circuit Court, 18th Judicial Circuit, Seminole County, Florida,

a. September 1, 2022 / State of Florida v. Phillip Hunt

3. Circuit Court, 4th Judicial Circuit, Duval County, Jacksonville, Florida

a. June, 2022 / Sentencing Hearing / Case Unknown

4. Circuit Court of Montgomery County, Montgomery, Alabama,

- a. State of Alabama v. Rodericko Davis / date unknown
5. Circuit Court, 1st Judicial Circuit, Santa Rosa County, Milton, Florida,
 - a. State of Florida v. Jeffrey Campbell / date unknown
6. Circuit Court, 4th Judicial Circuit, Duval County, Jacksonville, Florida
 - a. Testified in one or two trials / dates unknown
7. Circuit Court, 4th Judicial Circuit, Nassau County, Yulee, Florida
 - a. Testified in one trial / date unknown
8. Circuit Court, 5th Judicial Circuit, Citrus County, Inverness, Florida
 - a. Testified in one case / dates unknown
9. Circuit Court, 7th Judicial Circuit, Volusia County, Daytona Beach, Florida
10. Circuit Court, 15th Judicial Circuit, Palm Beach County, West Palm Beach, Florida
 - a. State of Florida v. Neuman Raja / March, 2019
 - b. State of Florida v. Dr. Wayne Tover / September 2013

AWARDS

10/00 Police Officer of the Month, Jacksonville Sheriff's Office

- For work at numerous homicide scenes

08/83 Medal of Valor, Jacksonville Sheriff's Office

- For assisting in a vehicle chase and shootout with heavily armed bank robbers while off-duty

11/82 Police Officer of the Month, Jacksonville Sheriff's Office

- For performance as a patrol officer

COMMENDATIONS

02/10 Letter of Commendation, Armed Suspect on School Grounds

02/02 Letter of Commendation, Homicide Investigation

11/00 Letter of Commendation, Burglary Investigation

03/00 Letter of Commendation, Homicide Investigation in Baker County

03/99 Letter of Commendation, Forensic Mapping System Presentation

02/98 Letter of Commendation, Kidnapping Investigation

February 27, 2023

12/97 Letter of Commendation, Loomis/Wells Fargo Robbery Case

01/97 Letter of Commendation, Homicide Investigation

09/96 Letter of Commendation, Homicide Investigation

05/96 Letter of Commendation, Robbery Investigation

02/95 Letter of Commendation, Homicide Investigation

08/94 Letter of Commendation, Assisting Citizen

05/94 Letter of Commendation, Auto Theft Investigation

12/93 Letter of Commendation, Homicide Investigation

10/93 Letter of Commendation, Life Saving Efforts

12/91 Letter of Commendation, Homicide Investigation

12/91 Letter of Commendation, Homicide Investigation

09/90 Letter of Commendation, Homicide Investigation

11/83 Letter of Commendation, Bank Robbery and Shootout

01/80 Letter of Commendation, Pet Shop Fire

03/76 Letter of Commendation, Burglary in Progress Arrest

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EXHIBIT 2

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List of Materials Received and Reviewed

I. Items Reviewed

A. Photographs

1. crime scene photographs (230);
2. Latent print photographs (72);
3. autopsy photographs (39); and,
4. evidence photographs from defense counsel (731).

B. Reports:

1. Palm Beach County Sheriff's Office Offense Report (6 pages);
2. Palm Beach County Sheriff's Office Supplement Reports #1 through 59 (506 pages);
3. Palm Beach County Sheriff's Office Supplement Report #60 (8 pages);
4. Palm Beach County Sheriff's Office Supplement Report #61 (6 pages);
5. Palm Beach County Sheriff's Office Supplement Report #62 (7 pages);
6. Palm Beach County Sheriff's Office Supplement Report #63 (15 pages);
7. Palm Beach County Sheriff's Office Supplement Report #64 (10 pages);
8. Palm Beach County Sheriff's Office Property Receipts (68 pages);
9. Palm Beach County Medical Examiner's Office Property Receipts (2 pages);
10. Autopsy Report (12 pages) [P486 - P497];
11. Medical Examiner Body Diagrams (3 pages) [P503 - P505];
12. Medical Examiner Investigative Report (2 pages) [P506 - P507];
13. Pinellas County Sheriff's Office Crime Scene Supplement, May 20, 2004 (2 pages);
14. Pinellas County Sheriff's Office Incident Report, May 20, 2004 (3 pages);
15. Palm Beach County Sheriff's Office Crime Scene Report, CSI Zielinski, January 23, 2018 (2 pages);

16. Palm Beach County Sheriff's Office Crime Scene Report, CSI Zielinski, August 22, 2018 (2 pages);
17. Palm Beach County Sheriff's Office Crime Scene Report, CSI Zielinski, August 24, 2018 (3 pages); and,
18. PBCSO Physical Evidence List (2 pages).

C. Lab Reports:

1. PBCSO Crime Lab Report, Firearms Section, September 18, 1991 (2 pages);
2. PBCSO Crime Lab Report, Firearms Section, June 25, 1990 (2 pages);
3. PBCSO Crime Lab Report, Serology Section, June 7, 1990 (1 page) [P498];
4. PBCSO Crime Lab Report, Toxicology Section, June 5, 1990 (1 page) [P499];
5. PBCSO Crime Lab Report, Serology Section, March 6, 2001 (2 pages) [P501 - P502];
6. PBCSO Crime Lab Report, Toxicology Section, June 1, 2016 (2 pages);
7. PBCSO Crime Lab Report, Latent Print Section with bench notes, LPE L. Parsons, February 25, 2016 (67 pages);
8. PBCSO Crime Lab Report, Latent Print Section with bench notes, LPE L. Parsons, June 1, 2016 (29 pages);
9. PBCSO Crime Lab Report, Latent Print Section with bench notes, LPE L. Parsons, November 16, 2017 (40 pages);
10. PBCSO Crime Lab Report, Latent Print Section with bench notes, LPE L. Parsons, July 10, 2018 (12 pages);
11. PBCSO Crime Lab Report, Latent Print Section with bench notes, LPE L. Parsons, May 18, 2021 (12 pages);
12. PBCSO Crime Lab Report with bench notes, Biology Section, October 6, 2014 (109 pages);
13. PBCSO Crime Lab Report, Serology/DNA Section with bench notes, July 28, 2003 (7 pages);
14. FBI Laboratory Report, DNA Section, June 17, 2016 (5 pages);
15. FBI Laboratory Report, Trace and Chemical Analysis Sections, September 5, 1990 (3 pages);

16. FBI Laboratory Report, Trace Evidence Section, March 10, 2016 (4 pages);
17. University of Florida Agriculture Sciences Report, September 11, 1990 (1 page);
18. Ron Smith & Associates Latent Print Examination Report, April 6, 2022 (7 pages); and,
19. Ron Smith & Associates Case Notes Report (1 page).

D. Depositions

1. Celynda Sowards (128 pages);
2. [REDACTED] (207 pages);
3. [REDACTED] (152 pages);
4. [REDACTED] (171 pages);
5. CSI N. Zielinski (87 pages);
6. LPE James Werring (26 pages);
7. Paige McCann (61 pages);
8. Dr. Catherine Miller (37 pages);
9. Brandie Christian (235 pages);
10. Marylou Doss (43 pages);
11. Joshua Friedman, Vol. I, June 10, 2022 (272 pages); and,
12. Joshua Friedman, Vol. II, June 23, 2022 (272 pages).

E. Miscellaneous Items

1. assorted Palm Beach County S.O. emails (37 pages).