

## Which One is It?

### ***Comparison of the Sherlock ME and the Crime Scene Report re the Recovered Handgun***

There appears to be an irreconcilable conflict between the ME Report and the Responding Officer's REPORT. The First Response Officer, Eric Armstrong, put in his Crime Scene Report that *"There was a single round inside the chamber of the firearm and the magazine was empty."* In stark contrast, the ME Report states the *"the magazine was partially ejected... with one 9mm Luger cartridge in the magazine."* How can we have such disparate official statements?

#### [ME Report Pg 3 Para 1](#)

"20 W 117 15 47. There were a few small droplets of blood splatter north of the body. A Sig Sauer 9mm semiautomatic handgun, serial number B246247 was against the decedent's left hip. The backstrap (back of the grip) was on the rocks and the weapon was partially ejected. There was one PMC 9 mm Luger cartridge in the magazine. No casing was found during a search of the scene...The scene did not appear staged."

#### [SDPD Crime Scene Report Page 6 Para 6](#)

"...I collected the firearm at the scene. I identified the firearm as a 9mm Sig Sauer handgun(SN# B246247)...When I discovered the firearm, the safety was in an off position and there was a black magazine inserted into the stock of the gun. There was a single round inside the chamber of the firearm and the magazine was empty. A shell casing was not discovered at the scene."

#### [Sig Sauer 9mm Operation and Safety Manual](#)

Sig Sauer handguns come equipped with a safety interlock. Unless the gun has been modified to bypass the safety interlock feature, a stock gun cannot be fired without the magazine fully inserted into the firearm. The other issue that gets raised here is how the ME can see the magazine as being partially ejected with one round in the magazine and Officer Armstrong has a fully inserted magazine with no round in it in which the round that would have, under normal action moved its way into the chamber after the gun was fired.

The gun in evidence must be examined and tested to see it could be fired without the magazine in place and if not is there any scenario that could be proffered whereby the magazine could have been partially ejected by someone who had just committed suicide with that first round? Even an abnormal gun operation would still would not account for the bullet being moved to the magazine as stated in the ME Report. If that was done by one of the first on scene officer(s), it would represent tampering with evidence and at a minimum should have been noted in the crime scene report that it had been done prior to the ME arriving on site. In arguendo, if this was a safety call by the first response officer(s), to inspect the gun and remove a live round from the chamber and then insert it into the magazine, why was the magazine partially reinserted? Why not just leave the magazine next to the gun?

The police officers had a responsibility to protect the crime scene and not tamper with evidence. Someone tampered with the crime scene evidence and when neither the ME or the SDPD could find a spent shell casing, something any metal detector would have been able to find the case gets even further astray of the normal investigative procedures which leads us back to the same question. Why?