

AFFIDAVIT OF FREDERICK E. WEBB

1. I am Frederick E. Webb, presently residing at 6436 Sleepy Ridge Rd., Falls Church, Virginia (resume attached).

2. I was with the Federal Bureau of Investigation for thirty two years as a Special Agent assigned to the FBI Laboratory. I am certified by the FBI as an Expert Examiner of questioned documents, impression evidence, and photographic evidence. I am also a Fellow of the American Academy of Forensic Sciences.

3. After my retirement from the FBI, I worked for eleven years with the Commonwealth of Virginia as a Forensic Scientist.

4. During my time at the FBI, I often served as an expert forensic witness, testifying in over 400 trials throughout the country, mostly in federal court. While with the Commonwealth, I served as a expert forensic witness in Virginia state courts over two hundred times. These cases included expert testimony relating to impressions, including shoe and footprint as well as tire impressions.

5. At the request of Gail S. Marshall, counsel for Mr. Soering, I traveled to Bedford County Courthouse and examined the foot impressions of Jens Soering, Julian Haysom, Elizabeth Haysom, and Fontaine Harris contained in the Clerk's records. Some of these were barefoot impressions and others were sock-covered foot impressions. I examined as well photographs of a footprint on a wooden floor taken from the scene of the crime, LR-3. I also examined the exhibits introduced at trial by Mr. Robert Hallett, including the overlay with red arrows and marks prepared by Mr. Hallett which purports to compare a right footprint of Mr. Soering with the LR-3 impression.

6. LR-3, the right foot impression which has been reported to be made in blood, is smeared and indistinct. It cannot be determined definitively on this impression where the heel begins, therefore no accurate determination can be made of the length of the foot. There are no individual identifying characteristics in LR-3 impression, thus this impression cannot be identified with any particular individual. Characteristics that would be required for such an identification would be dermal ridges, scars, wrinkles, calluses, or deformities in the toes or other elements. This kind of indistinct impression (LR-3) is useful only to possibly eliminate some suspects whose feet would be considerably smaller or considerably larger. Thus, it was possible to eliminate Fontaine Harris due to the fact that her footprint, measured from her known impression, is considerably shorter than the LR-3 impression. LR-3 however does not make it more probable that the print was made by any one of the other three possibilities or indeed give any reason to choose one of them over any other individual with a print of the same approximate length.

7. The Commonwealth's exhibit consisting of a transparent overlay of Jens Soering's barefoot print over a photograph of the smeared, apparently sock-covered print retrieved from the crime scene with Mr. Hallett's red markings is, in my view, quite

misleading. Mr. Hallett's red arrows on the Soering overlay in some cases point to areas or features that are not necessarily present on the LR-3 print below. This is misleading in that the overlay purports to show a precision that simply does not exist. For example, the toes of LR-3 are not distinct as to outline, therefore the red dots and arrows purporting to show their edges and centers are speculative, rough estimates and in fact show no "correspondence" at all. Overall, a false impression of precision and matching "detail" is exhibited by the exhibit which has no basis in fact.

8. I have also reviewed the affidavit of Mr. Russell Johnson of April 14, 1995, and am in general agreement with the conclusions and opinions expressed therein.

Further the affiant sayeth not.

Frederick E. Webb
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COUNTY OF ORANGE, VIRGINIA

I certify that Frederick E. Webb appeared before me this 27th day of November, 1995 and subscribed to the above statement under oath.

Virginia W. Stanley
Notary Public

My Commission expires: March 31, 1996