

MARTIN L. FACKLER, M.D., F.A.C.S.

WOUND BALLISTICS CONSULTANT

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J D Sabow, MD
P.O. Box 5510
Rapid City, SD 57709

16 June 1994

Dear Dr. Sabow,

I have the following comments regarding the death of Colonel James E. Sabow. The basis for these comments is the written materials you sent me (autopsy and various investigative reports), the photographs from the autopsy and the death scene, my own experience and knowledge, and consultations with knowledgeable persons.

COMMENTS:

1. The position of the shotgun (under his body) and the lack of gross blood on the front of the white garments that COL Sabow was wearing at the time of his death make suicide appear, to me, unlikely. Since there was no exit hole in the back of the head, the several gallons of gas generated by the gunpowder would have to come out his mouth. Additionally, the temporary cavity formed around the shot in the tissue it disrupted would have to be decompressed through the mouth. Thus, I would expect more blood evident on his left hand, and the front of his garments, from what would have to be a large and bloody blowback.

2. The amount of blood, and edema, found at autopsy in COL Sabow's lungs would seem, to me, to indicate that he took at least a dozen breaths after the shot. The structures destroyed by the shot, however, would seem to preclude this: the autopsy report states "No intact brainstem, including midbrain, pons, or cerebral peduncle is identified." Additionally, one would expect any nerve tissue within the region surrounding the gross disruption (including the upper half of the cervical spinal cord) to have its function disrupted, at least temporarily, by the explosive nature of the powder gasses and temporary cavitation.

I am a surgeon, however, not a forensic pathologist. On this point, I would have to defer to an experienced forensic pathologist who has extensive experience with, as well as expertise and interest in, the effects of gunshot head wounds. Dr. Richard Mason (phone 408 - 298 7142) fulfills these qualifications as well as any forensic pathologist I know.

3. The fact that none of COL Sabow's fingerprints were found on the shotgun seems strange to me, but the techniques of fingerprinting are out of my field of expertise. One of the reasons given, however, for the lack of fingerprints -- that the barrel gets so hot that any fingerprints on it would be burned off -- is simply absurd. This is within my area of expertise: I have handled many shotguns immediately after they have been fired -- the barrels are not even hot to the touch.

Sincerely,

A handwritten signature in cursive script, reading "Martin L. Fackler".

Martin L. Fackler, President
International Wound Ballistics Assn.