

1 **IN THE UNITED STATES DISTRICT COURT**
2 **EASTERN DISTRICT OF NORTH CAROLINA**
3 **RALEIGH DIVISION**

4
5 **GRAND JURY INVESTIGATION**
6 **IN THE MATTER OF:**

7 **THE DEATHS OF COLETTE MACDONALD,**
8 **KIMBERLY MACDONALD, and**
9 **KRISTEN MACDONALD**

10 **Samuel S. Epperson, Foreman of the Grand Jury, Presiding**

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14 **APPEARING:**

15 **For the United States Government:**
16 **Victor Woerheide, Department of Justice**

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18 **WITNESS: DILLARD O. BROWNING**

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21 **At Raleigh**
22 **October 23, 1974**

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1 I, Mary M. Ritchie, being a Notary Public in
2 and for the State of North Carolina, was appointed to take
3 the testimony of the following witness, Dillard O. Browning,
4 before the Grand Jury, Raleigh, North Carolina, commencing
5 at 3:00 p.m. on October 23, 1974. All Grand Jurors
6 present.

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9 Whereupon,

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11 DILLARD O. BROWNING,

12 having been first duly sworn, was
13 examined and testified as follows:

14 EXAMINATION BY MR. WOERHEIDE:

15 Q Will you state your full name, please, sir?

16 A My name is Dillard O. Browning.

17 Q Where do you live at the present time?

18 A At the present time I'm living in Tokyo, Japan.

19 Q Can you give us an address, sir?

20 A Yes. It's USADIC, Camp Zama, Japan.

21 Q Maybe you'd better spell Camp Zama for us.

22 A Z-a-m-a. Camp Zama.

23 Q Where are you employed, Mr. Browning?

24 A I'm employed by the army's Criminal Investigation
25 Laboratory at Camp Zama.

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Q All right. Just for the record, you remember there was a sheet and a bedspread found in this location. That's the --- the bedspread that he is referring to is the bedspread that was found at that point. Next is D237.

A D237 was the fingernail scrapings from the left hand of Kristen MacDonald. And, in the fingernail scrapings I found one very small piece of blue polyester fiber from the pajama jacket. This is a very small piece mounted on a slide. And, at first, I had to wash it. Of course, everything under the fingernails were blood-stained. And, so, I had to wash and clean up the fiber and mounted it under a slide for examination under the microscope.

Q All right, sir. Next is ---

A Next is --- I have it listed as exhibit E3. E3 was debris from the mouth of Colette MacDonald. In this I found one polyester fiber and also one of Colette's hairs.

Q All right, sir. E6 is the next one.

A Yes. E6 is debris from the fractured site of right forearm of Colette MacDonald. On this I found just one fiber.

Q And this ---

1 by normal scuffling or playing around or some-
2 thing of that nature. You know how you sometimes
3 carry a child to play with them or something.
4 Could it have been transferred that way? Was
5 it that --- I think you know what I'm getting at.
6 A Yes. I realize what you are getting at. You see
7 I didn't take the fingernail scrapings. These
8 were taken by the doctor at the autopsy of the
9 child. And, when I received it, each fingernail
10 scraping was --- well each hand was separated .
11 These scrapings were put on a small piece of
12 paper and all of the scrapings were completely
13 blood-stained. In fact, I thought when I first
14 came across this I was picking through the
15 scrapings and using what we call a stereo
16 microscope. It's a microscope that doesn't
17 have the magnification or the power of a regular
18 microscope but enables you to look at small,
19 small things and be able to pick out things of
20 interest and ignore other things. So, when I
21 first saw this on the stereoscope, I thought it
22 was ---it looked like a little glob of blood,
23 but I separated it out, increased my magnifi-
24 cation, and started looking at it and I realized
25 it was a fiber. So, we have these micro test

1 tubes and I carefully washed it, removed the
2 blood and all from it, because it was so blood-
3 stained that even --- there was no way I could
4 examine it under a microscope without cleaning
5 it up first. So, I cleaned it up. I washed it
6 with saline and with soapy water first and then
7 rinsed it with water, mounted it on a slide
8 and examined it under a microscope. It was then
9 that I determined it was from the pajama jacket
10 of Captain MacDonald's. Now, how it could have
11 gotten there and be blood-stained and blood-
12 soaked at the same time it would --- well, my
13 personal opinion is that it would be pretty hard
14 to do.

15 FOREMAN: There was blood on the fibers
16 in Kimberly's room. I believe you stated there
17 was blood on those fibers. But, you said you
18 didn't do any of the blood work, so, I'll skip
19 over that.

20 A No. I didn't do any of the blood work at all
21 on that.

22 FOREMAN: Was there any dirt or other foreign
23 matter on these fibers that may have indicated
24 that they were stepped on, or could have been
25 transferred from one spot to another or would

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STATE OF NORTH CAROLINA
COUNTY OF WAKE

C E R T I F I C A T E

I, Mary M. Ritchie, Notary Public/Reporter, do hereby certify that said testimony taken before the Grand Jury was taken and transcribed under my supervision and that the foregoing seventy-five pages constitute a true and accurate transcript of the testimony of the said Dillard O. Browning.

I do further certify that the persons were present as stated in the caption.

I do further certify that I am not of counsel for, or in the employment of either of the parties to this action, nor am I interested in the results of this action.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 25th day of Nov, 1974.

Mary M. Ritchie
Notary Public in the County of
Wake, State of North Carolina

My Commission Expires November 22, 1975.