

***“Oh, what a tangled web we weave when first we practice to deceive” —Sir Walter Scott***

## **INTRODUCTION TO A FRAME-UP**

According to the Pennsylvania State Police and Lycoming County District Attorney Allen E. Ertel, the prosecutor, based on circumstantial evidence outlined in trial transcripts, this is what happened to 12-year-old Jennifer Hill on Friday, October 19, 1973, after spending the night at the home of Joe and Dorisann Hubbard. Jennifer Hill had stayed overnight with her friend, Ruth Hubbard, also age 12, at the residence on West Central Avenue in South Williamsport, PA. With a day off from school, it was the start of a long weekend in summer-like weather.

My name is Kim Lee Hubbard. I was nineteen at the time. Joe and Dorisann were my parents and Ruthie, now in her fifties, is my younger sister.

Jennifer Hill left at 3:45 p.m. after receiving a telephone call from her parents, according to the prosecution’s scenario, and proceeded east on West Central Avenue toward her own home about a dozen blocks away on Hastings Street—a walk of no more than 15 minutes at a leisurely pace. Barely two blocks from her house, she supposedly veered off course, turning right on Howard Street and ending up in front of Betty Jane Nevel’s house a block and a half from there. Another witness, Joseph Mendez, testified that he saw her, wearing a distinctive blue football jersey with the number 33 in white, at the corner of West Central and Market Street just a couple of blocks from her home—and two short blocks beyond where she would have turned to go to the Nevel home—shortly before 4 p.m.

Mrs. Nevel would later testify that she was sitting watching TV with her daughter, Beth, when, looking out the window, she saw a young girl walking up the sidewalk in front of her house and a metallic green car stopping nearby in the middle of the street. She testified that this occurred at 4:30. This created a missing half hour in Jennifer Hill’s journey that was never accounted for.

“I asked my daughter who she was and she said, ‘Jenny Hill,’ and I turned and kept watching and she got in the car,” Nevel testified at my trial four months later (page 164 of trial transcripts).

Mrs. Nevel subsequently testified that she assumed the driver was a man because his hand seemed too big to be a woman’s. The hand beckoned to Jennifer to get in the car, and the girl proceeded around the back of vehicle, entering the front passenger side of the car which subsequently drove away.

According to the prosecutor, I was the driver of that car and took Jennifer Hill up to the stone quarry behind Mountain Beach in South Williamsport, which was a well-known

area where young people would go parking. This theory as to where the killing occurred would be conveniently dropped when the time required to commit the crime and get rid of the body became an issue. The prosecution then has me attempting to rape Jennifer Hill before choking her to death, proceeding to Sylvan Dell Road and putting her body in a cornfield where it was found by searchers on October 28<sup>th</sup>, nine days later. I was arrested on Nov. 16 almost three weeks after the body was “discovered.” A jury found me guilty of second-degree murder on March 1, 1974, and I was sentenced to serve 10 to 20 years in the Pennsylvania state penal system for second-degree murder.

I served 10 years in the state penal system and have returned to marry, raise a daughter, now a college student, and operate a successful business. My exoneration became almost an obsession for my father from literally the day after the verdict, and he was able to uncover literally hundreds of discrepancies in the evidence used against me as well as making a strong case that we had been victimized by the Pennsylvania State Police and corruption in the office of an ambitious district attorney. That district attorney, Allen E. Ertel, would be elected to the U.S. House of Representatives just two years after my conviction and, in 1982, gained the Democratic nomination for Pennsylvania Governor, only to lose in the general election. He would also lose a bid in 1984 for Pennsylvania Attorney General, the office that in 1975 had refused to investigate allegations of evidence tampering in the prosecution of my case.

Needless to say, what happened to me did not make much sense to a lot of people who knew me—and the questions have multiplied, not decreased, in the 40 years since Jennifer Hill’s death. What you’re about to see and read is what was discovered about the case after my conviction. Most of these findings contradict the evidence the prosecution presented to the jury—not the least of which was that there was no indication of sexual assault or an attempt at such. The Commonwealth’s own photos show more than one location for the body in that field, and closer examination of the evidence indicates the body was found much earlier, refrigerated and put back in the cornfield where the girl’s body was “officially” found.

I believe it would be an understatement to say a whole lot of people in the Commonwealth of Pennsylvania, especially in Lycoming County, are going to be upset and thoroughly disgusted with what is being revealed here. I am going to show you just how corrupt, dishonest and deceitful a district attorney, a county coroner, and various Pennsylvania State Police personnel were back in 1973.

The truth, uncovered over the intervening years, much of it by my late father during the decade following my trial, clearly shows evidence was manufactured, manipulated and misrepresented to knowingly and falsely convict me of murder. You will be able to see precisely what these people did and, believe it or not, it’s all in the state’s own evidence. I will show you that Jennifer Hill’s body did not lie in the cornfield for nine days as indicated in the prosecution’s scenario.

Instead, evidence will show she was found in the Sylvan Dell Road cornfield just outside the borough of South Williamsport within 36 hours of death. The body was then

quietly removed from the field and transported to the Williamsport Hospital where it was kept refrigerated in the morgue. Then, days later, the body was returned to the cornfield, **creating a second scene where it was supposedly found on October 28<sup>th</sup> with the intent of framing me for a crime I did not commit.**

## FINDING THE BODY: WHERE AND BY WHOM?

This is my attorney, Patrick Fierro, cross-examining Dwayne Gleckner, Civil Air Patrol (CAP) Captain who is credited with finding the body. **Read carefully as he describes its location!**

This segment of [Gleckner's testimony](#) starts on page 224 of the trial transcripts. Please examine Photo 15 (exhibit number 36) so you know exactly what you are looking at.

Q: I can't tell. Can you tell me on exhibit number 36 how do these rows of corn run, because in this area I can't tell...

A: They would run from top to bottom on the pictures, the rows.

Q: On number 36 they would run from top to bottom?

A: Yes.

Q: That is the same in the area where the body was found, running from top to bottom?

A: The rows ran parallel to the Sylvan Dell road.

Q: All the fields of corn shown in this picture?

A: Yes, that I was in.

Q: Run parallel, and this is Sylvan Dell road shown on number 36?

A: Yes.

Q: She was found just a few feet in, in one of these rows?

A: Yes.

Q: Did you notice how she was laying?

A: Her feet were towards the road.

Q: And her body parallel and running the same direction as the rows of corn?

A: Yes.

Q: Parallel to the rows?

A: No, parallel to Sylvan Dell road, but not the farm road.

Q: The rows of corn also run parallel to Sylvan Dell?

A: Yes.

Q: Her body was also lying parallel to the Sylvan Dell road like the rows of corn?

A: Yes.

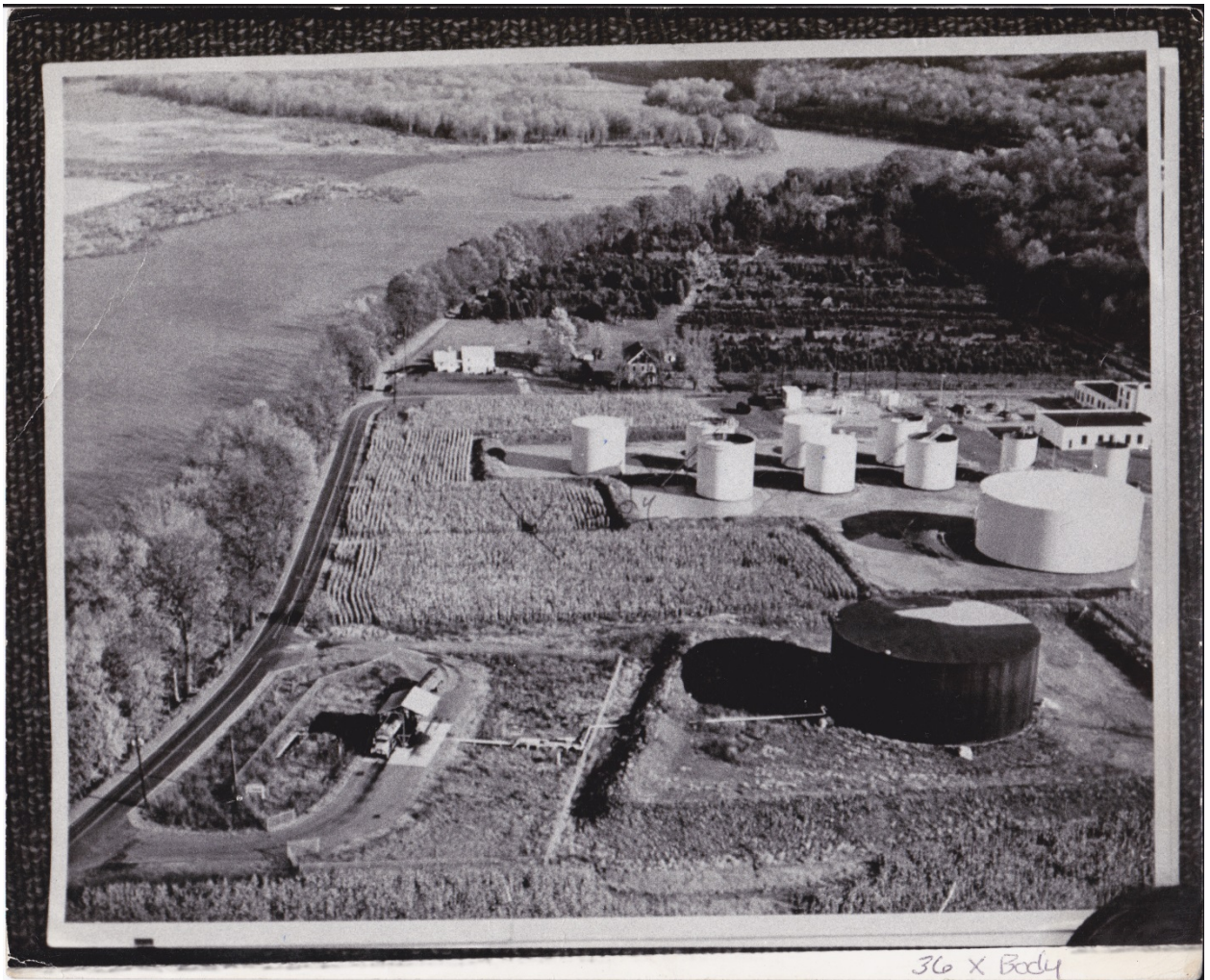
Q: Do I take it she was found in between two rows of corn?

A: Yes.

Q: Not on top of any cornstalks?

A: No, not to the best of my knowledge.





**Figure 1: Photo 15 (Exhibit 36): ARCO Tank Farm looking southeast along the south bank of the West Branch of the Susquehanna River on the left and Sylvan Dell Road.**

I would now offer transcript of [CAP Major Louis Hunsinger's testimony](#) (pages 237 and 238) as cross-examined by Fierro. Hunsinger confirmed details provided by Gleckner about the body's location when found by searchers, which could have only been a few feet from Sylvan Dell Road in the only corn rows running parallel to it.

*Q: Now Commonwealth's Exhibit No. 1 (Photo 1) is that substantially and accurately what you saw when you walked up to that area where the body was lying?*

*A: Yes.*

*Q: Is that correct*

*A: Yes.*

*Q: Take a good look at the picture.*

*A: As near as I can tell. All I did was glance. I saw her legs.*

*Q: You didn't see any of the cornstalks broken or anything else broken where her*



body was lying?

A: No, I didn't notice any. Like I say I just looked and saw her legs.

Q: As her picture, or as this picture, shows her body lying between the cornstalks running in the same direction as the rows of cornstalks?

A: I would say.

Q: With her feet being closer to the road.

A: Yes.

Q: And being what? Three or four feet off the road?

A: Yes, not far.

Q: Just about three or four feet?

A: Yes."



Figure 2: Photo 1 (Exhibit 1)

Just so we're on the same page, Gleckner was looking at *Photo 15* (Figure 1) showing the first eight rows of corn, running the same direction as the paved road, that run in a different direction from those in the rest of the field. Louis Hunsinger was looking at Photo 1 showing the soles of the girl's sneakers and the rows of corn. This is

looking toward the body from the farm lane, indicating the body had been found just a few feet off the lane and not far from the edge of Sylvan Dell Road among the first eight rows. The reference to “three or four feet” is the distance off the farm lane and, as you’ll see, references to lanes and roads can get confusing. The farm lane we are talking about (occasionally referred to as a road in some of the testimony) runs from the paved road to the tank area, and you can see an X and notch in the corn two-thirds of the way up the lane, which will make more sense later.

Now, I want to talk about Dr. Earl Miller, who was the Lycoming County Coroner, starting with an excerpt from his direct examination. You’ll find it on page 264 of the transcript. District Attorney Ertel was doing the questioning. Here is Dr. Miller’s revealing explanation about the body’s position in the cornfield:

*At this stage of the game, with myself watching the footprints, making sure that the troopers who were being used to pick up the body and remove it immediately to the east through the same rows of corn, my job at that time was to safeguard that no trooper stepped anywhere near in this vicinity and by supervision of having them pick up the body and move it, that was accomplished.*

**Notice that “east through the same rows of corn also matches the east-west direction the body was laying in those first eight rows of corn parallel to Sylvan Dell Road (Photo 15, Figure 1).**

*Note: Calling this exercise a “game,” as Miller did, might be regarded as something of a Freudian slip.*

Now I’m going to page 292, and the cross examination of Dr. Miller by Fierro.

*Q: Let’s do this with reference to Jennifer’s body. Now the jury already knows that her feet are towards the lane (and) her head is away from the lane.*

*A: Right.*

*Q: Is that correct?*

*A: That is correct.*

*Q: And lying perpendicular to the lane, running the same way the corn rows do?*

*A: That is correct.*

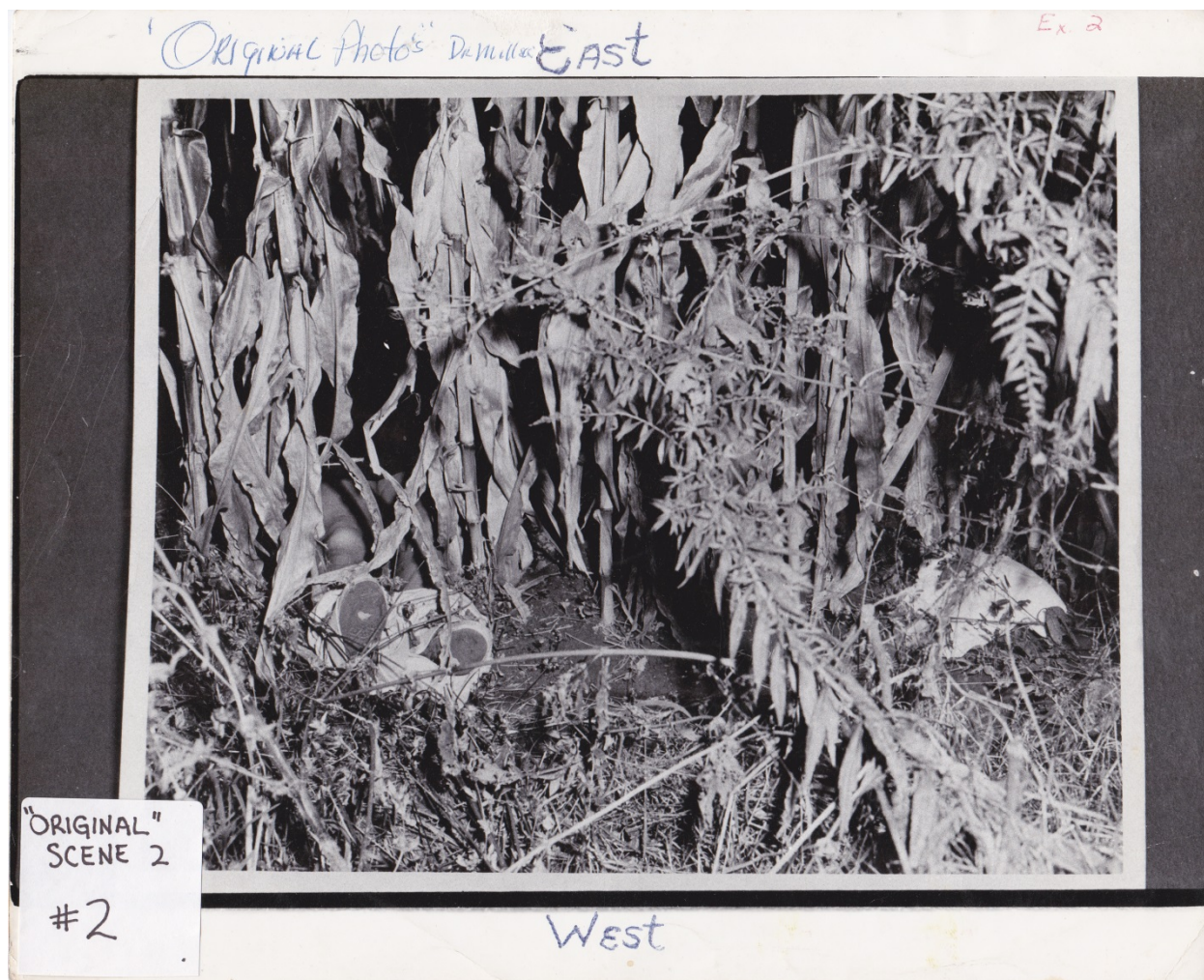
*Q: We have been told that yesterday?*

*A: Yes, sir.*

Everything you’ve read here is from trial transcripts, so you, the reader, will know precisely where the body was found. There should be no question. Or so one would think.

State’s evidence Photos 1 and 2 are the only so-called original photos of the first of two scenes representing the location of the body **as initially discovered**.





**Figure 3: Photo 2**

These two photos show Jennifer Hill's body, her feet pointing toward the farm lane, lying in the field running the same way as the rows corn and running the same way as Sylvan Dell Road. Note that the distance to the lane, whose edge can be seen in the foreground of the photo, would appear to be about three feet.

Look at Photo 15, an aerial photo, referred to in questioning as Exhibit no. 36. Put yourself there. Go to the beginning of the lane at the edge of the paved road heading toward the white ARCO tanks. Pretend you're walking up the lane until you get to the seventh row of corn still running parallel to Sylvan Dell Road. Now look to your left three or four feet in and that's what you see in Photos 1 and 2 from slightly different perspectives. This is what Gleckner allegedly saw and indicates the body was lain just a few feet off the lane and just about as far from Sylvan Dell Road as the length of a car pulled into the lane.

There can be no doubt to where Jennifer Hill's body was found **the first time**.



What you have just learned so far from the transcripts are three key points:

1. exactly where the body was found,
2. who found it, and
3. how it was positioned in the field.

## POSTMORTEM REPORT: WHAT'S WRONG HERE?

Remember that the [postmortem report](#), findings after an autopsy denoting body condition and indicators of cause of death, is considered a medical record. Allen Ertel **never admitted medical records into evidence**. Therefore, what you are about to look at is not an official part of the trial record and, in essence, has never been seen by the public before— except in later published reports outlining some of these discrepancies. Please bear in mind these photos are of a body that was supposed have lain in a cornfield for nine days of warm Indian summer weather. This same body was displayed in an open casket for a viewing 13 days after her death.

*Note: For the record, and as reported in the Williamsport Sun-Gazette, the coolest daytime temperatures during that nine-day span were the first two— Oct. 19 and 20— when the highs were mid-50's and near 60. The highs in the remaining days right up until Oct. 28<sup>th</sup>, when the body was allegedly found, were in the mid- to high sixties. Overnight lows never dropped out of the forties. In fact, the first time overnight temperatures dipped below freezing in 165 days was on Oct. 31<sup>st</sup>. ([See NOAA Weather Reports](#)).*

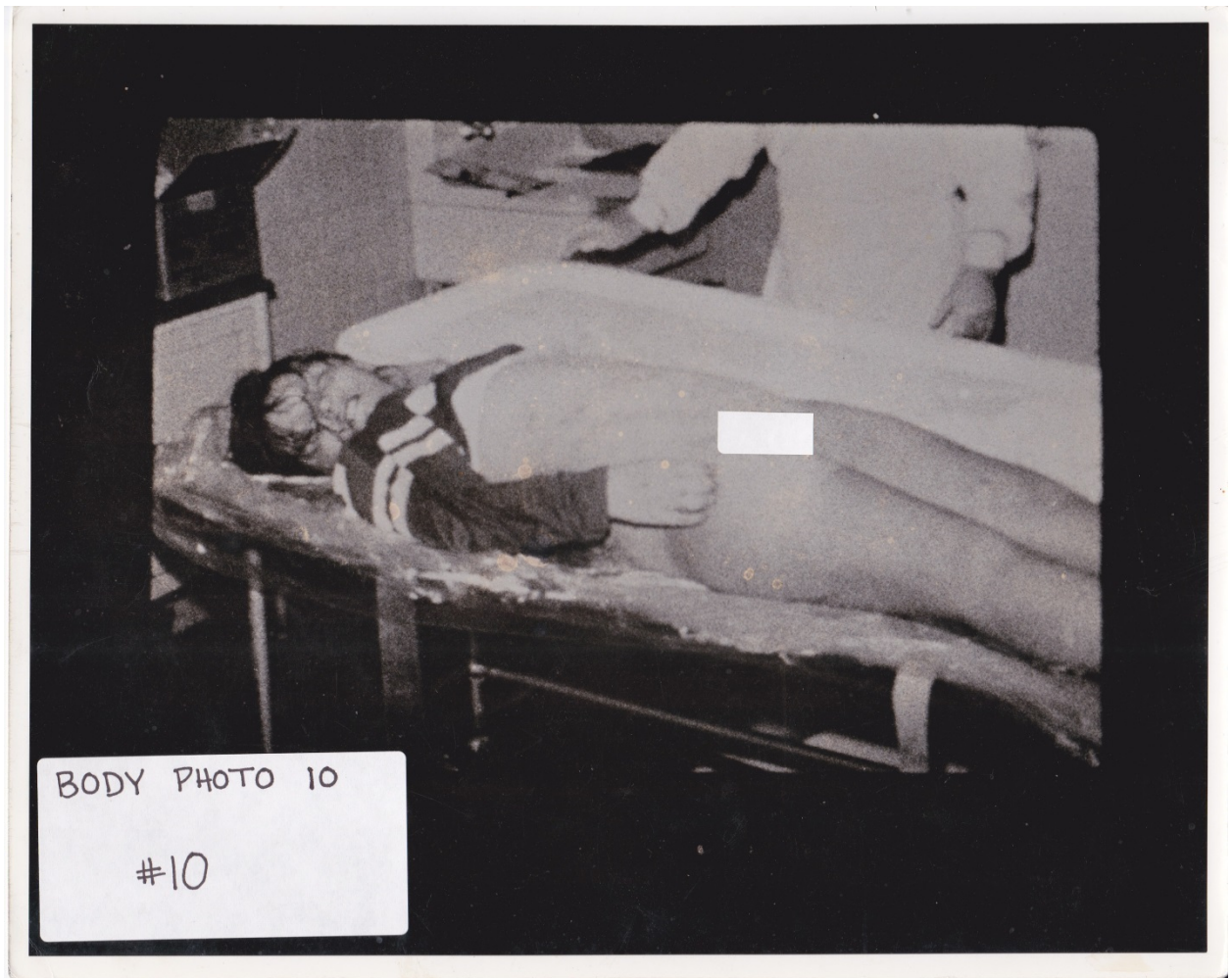
The first thing we will look at is body Photo 10 (Figure 4). Please note that this is supposed to be Jennifer Hill after being removed from the field where she had allegedly been lying for nine days, exposed to the elements, animals and insects, at an average temperature of 50 degrees with daytime temperatures approaching 70. An embalmer who views this photo will tell you *the body is "fresh"— dead for only a matter of hours rather than days*. Now look at Photo 10 and you'll see how Jennifer Hill's right hand is lifted off the table, indicating rigor mortis which reaches maximum stiffness after 12 hours and then gradually dissipates over the ensuing 36 to 40 hours.

This would not be present nine days after death, unless the body was preserved in a controlled environment. We believe, based on expert opinion, that the body was found within 24-36 hours after death. Refrigeration, based on resources available and principals involved, appears to have been the means of preserving her body. As it turns out, the coolest temperatures were in those first 24 to 36 hours.

This also coincides with the postmortem report of Dr. Robert L. Catherman, forensic pathologist, who testified for the prosecution. Please read carefully from page 5, the findings from his examination of the digestive system:

*"Moderately well digested fragments of bread, French fries, tomato, lettuce, and only in, one whole brown green grape skin, and a softened partially digested central*

*portion of a grape with seeds, and very tiny soft, pink brown material consistent with meat although not well defined are identified in the contents.”*



**Figure 4: Photo 10**

Did you catch this inconsistency? **Moderately well digested** food clearly describes a body that has only been dead between one and 36 hours. You will not find a body that has lain in the field for nine days in mild temperatures with anything moderately well digested in the stomach. An objective pathologist or embalmer will point this out immediately. The time of death stated in the postmortem report ([Document 70](#)) was “on or about Oct. 19, 1973.” Dr. Earl Miller, then Lycoming County Coroner, testified (page 305), that it was his “professional opinion” that Jennifer Hill died on October 19, 1973, between 4 and 6 PM. He said that was based on stomach contents.

Unfortunately, in terms of my defense, body condition was never addressed in the trial and was only raised as an issue by my father and others, including experts in forensic medicine and professional embalmers, who analyzed the evidence after I was incarcerated.

Two specialists from Allegheny County — Floyd C. Coles, an autopsy technician and later Chief Deputy Coroner, and Glenn M. Larkin, a forensic pathologist and M.D. — were interviewed in their Pittsburgh office on Jan. 23, 1980, by Dwight Schmuck for the *Weekender* newspaper, now defunct, which published a series of articles on this case.

Following is their joint conclusion: “The time of death cannot be established conclusively by stomach contents after 24-36 hours.” The entire interview— scanned on separate pages— is contained in [Documents 80-84](#). It’s a must read and very enlightening.

Again, Jennifer Hill was missing for the better part of nine days, and that is far beyond the 24-36 hour window necessary to establish time of death by stomach contents. This should prove to anyone who knows how to read a postmortem report that Jennifer Hill’s body was actually found 24-36 hours after she disappeared. It also proves that her body had to be preserved, most likely by refrigeration. In fact, when asked how the body in the photo could have been dead for nine days, Coles stated: “Only if it were under refrigeration.”

This explains the puzzling behavior of South Williamsport Mayor David Fry and Police Chief Charles Smith on Oct. 22 and 23, 1973. Both came to our home on those dates asking what Jennifer ate before she left our house on Oct. 19. What kind of fruit did she eat? Did she have a bowel movement? Why would such questions be asked as many as six days BEFORE her body was found on October 28 while they were still searching for a missing person? These questions suggest a body had been found and the two municipal officials had been directed to gather information useful in determining time of death.

*Steve McCune, an embalmer working for the Charles M. Noll Funeral Home, in 1973, has the distinction of being **the person who embalmed Jennifer Hill**, as well as being one of the people who picked up the body from the field on the evening of Oct. 28, 1973, and transported it to the Williamsport Hospital morgue. What he saw at the field that night will be recounted later. He had the most *intimate* look at the condition of the body, other than Dr. Catherman, and he shared some of his observations a few years later with a reporter named Wes Skillings.*

*McCune recalled telling the manager of the funeral home at the time, James Shaler, while embalming her: “**No way that body was dead that long!**”*

*McCune who was manager of a funeral home in Wilkes-Barre when Skillings interviewed him, agreed that refrigeration would explain the excellent condition of the body but did not want to pursue that subject, or its possibility, beyond that statement. He stated that the blood “drained out beautifully” and that the stomach was not noticeably distended. He said the blood was bright red, with a minimum of clotting, and the vessels milky pink.*

*Other factors that seemed unlikely or unusual for a body dead for more than nine days were that there was no staining of tissues and no skin slippage or peeling.*



*“If the body had been in the air that long,” McCune said, “the skin would have come right off when you touched it.”*

*Finally, in an observation that pertained to both body condition and the time it was in the field, he said that there were maggots, but they were tiny and not the full-grown larvae one would expect on a body exposed that long.*

Remember this is the first time the postmortem report, as a document, has ever been made public. My hope is that knowledgeable and professional people out there will be exposed to this information, analyzing raw documents and photos and opening the door for somebody from a state or federal agency to step forward and initiate a process of exoneration. Technology assures damning evidence of this miscarriage of justice will not go away.

All transcripts, body photos and field photos, affidavits attained in the intervening years and the postmortem report still exist in multiple copies. Availability of this material on the internet assures access to all the evidence, and you may analyze transcripts and photos on this webpage for yourself.

## SETTING UP A SECOND SCENE

***What I will show you now, using the state’s own evidence, are mistakes that will clearly show where Jennifer Hill’s body was put back in the field—and then discovered a second time!***

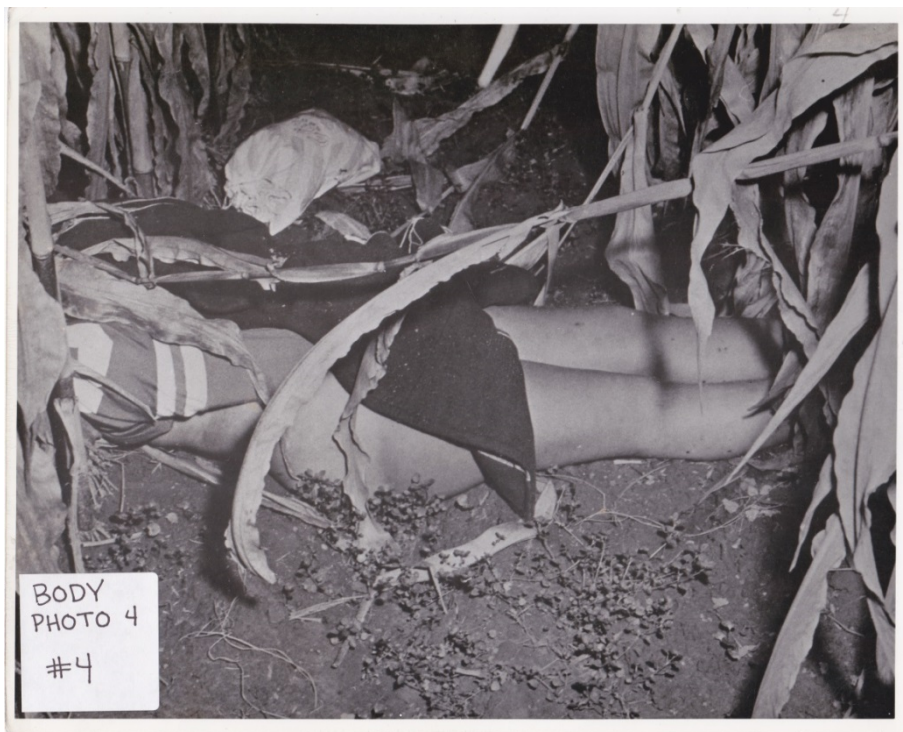
Now, I will ask you to go to Photo 3 and examine it closely. What’s wrong with this picture? Remember how the corn rows ran. Now go to photo 15 and where “X” marks the spot a sizeable distance down the lane.

When they took Jennifer Hill’s preserved body back to the field, where at least two searches in the area had already been conducted, this is where they put it. According to Allen Ertel, who marked the X on this photo during testimony, this was the official body scene. That spot is now 127 feet up the lane in the cornfield! It is clear her body is lying across the rows. ***Major mistake!***

The corn rows are now running north and south and parallel, not perpendicular, to the lane. Body photos 3,4,5 and 6 also show Jennifer’s body ***lying across the rows.*** These rows are no longer parallel to Sylvan Dell Road, which is now about 100 feet further away. Where happened to ***“the first eight rows of corn, running east and west,”*** previously described in testimony?



**Figure 5: Photo 3**



**Figure 6: Photo 4**







You may be curious how the future Congressman, Allen Ertel, performed the courtroom sleight-of-hand to get from scene one to scene two in transcripts. This is how he did it.

Let's start by referring to some notes from my father, who figured out much of the trickery that sent me to prison for a crime I did not commit:

*"Gleckner (who found the body) under direct examination testified that he was traveling in a western direction. He was coming through the cornfield (half a dozen rows into the field) and arrived at the lane. From there he went south (or away from Sylvan Dell Road) on the lane. At this point Ertel will show him Photos 36 and 37 (127 ½ feet) he identifies them as the location, and Ertel marks them both with an 'X,' writing the word 'body' on both of them (seen in our Photo 15). Ertel now has established a location along the lane where he can use Photos 3-7. Gleckner identifies Photos 1 and 2 and testifies that they show the body as he found it! These photos show the body lying in a different position in line with planted corn rows (parallel). Gleckner was never shown photos 3-7. These photos clearly show the body lying **across** the planted corn rows! Examination of photos 1 and 2, 36 and 37 (represented by Photo 15) will definitely show the body at two different locations in the field."*



Years after my trial and conviction, Gleckner made a statement to a woman about how he was shown two sets of photos regarding the body location. See her sworn affidavit ([Document 79](#)) and it makes Gleckner's situation clearer. You see, he really did find the body, and testified truthfully as to its location. That was the first time. Now he is used to move the body scene much further down the lane which allows the Commonwealth to introduce physical evidence purportedly gathered there including foot and tire prints.

Let's return to some of my father's thoughts about the body scene shift— some of which is paraphrased to avoid repetition and confusion:

*"One could easily be led to believe that Gleckner was an entirely different person while testifying under cross-examination," he ruefully observed. (Remember Gleckner was never shown the photos of her lying ACROSS the row.) Up to this point in his testimony he was only ever in the "half dozen rows from Sylvan Dell Road." Once he arrived at the lane he never enters the corn rows again (he looks down one of those rows standing on the lane and sees the feet of the body). Testifying under cross-examination his whole story does apply to Photos 1 and 2. He states he found her "in the rows he was in, her body was lying parallel with the rows... the rows she was in ran parallel to the Sylvan Dell Road and not parallel to the lane." (Gleckner even corrected Fierro on that point, reiterating that she was lying between and not across the rows.) Gleckner's testimony has the body lying perpendicular to the lane, running the same direction as the corn rows.*

*Ertel marked the second scene with an "X" and wrote the word "body" beside it. (Now the body dump site is conveniently far enough down the lane to be obstructed from being viewed from the road, allowing more freedom to tamper with both the body and site— something that will make more sense to you later on.)*

*"From this point in the trial until its conclusion one can easily see that Kim's own lawyer lets him down and Fierro joins the camp of the enemy!" my father rightfully concludes. Hunsinger's testimony basically corroborates Gleckner's as to how they originally discovered the body. (He was called to the field by Gleckner and confirmed the body discovery). The most telling part of his testimony comes when he is asked by Fierro whether (Photo 1)... shows the body lying the same way as the rows of corn are planted? Hunsinger's answer was; "I would say!"*

*"Here again Fierro knows the body was not at the 127-foot location, but fails to express the fact!" my father noted. (Hunsinger too was never shown photos 3-8).*

**Conclusion: The men who find the body clearly place it along the Sylvan Dell Road among the adjacent parallel rows!**

State Police are on the scene when the coroner, Dr. Earl Miller, arrives. Try to keep a close eye on body location shown in Photos 1 and 2, and watch how their path of travel takes them to the second body scene. This includes observations from my father, who was the first to pick up on this tragedy of errors after the trial. According to page 240 of the transcript, photographs are taken by Trooper Joseph Keppick before Dr. Miller enters the lane.

On page 243, Dr. Miller states, "After Trooper Keppick took the original pictures, (supposedly Photos 1 and 2) I proceeded to the south in a south direction out a distance of approximately 20 to 30 feet and entered the corn field and made a circular path to come into the body from the head end, which is demonstrated by Photo 7."

"Dr. Miller, by his own estimates, never gets more than 30 to 60 feet down the lane or south of Sylvan Dell Road," Dad pointed out. "He never reaches the body at the 127-foot location." (He seems to be somehow between the two body scenes offered into evidence, but who's measuring? Certainly not the jury.)

"We approached the body from the east," he goes on to say on page 259 of the transcript. Photo 7 supposedly depicts what the coroner saw approaching the body. It shows the body propped on a stalk and on top or across the rows. This is the 127-foot location that Miller never reaches based on his own testimony. Yet, somehow, he is magically at the body scene and the body is lying across the rows.

The following statements will contradict Photo 7 and the 127-foot location, putting her body back just a few rows from the Sylvan Dell Road. Page 279 testimony describes the body as being between two rows of corn. The body, as stated on page 292, was lying perpendicular to the lane running the same direction as the corn rows.

"We were told that yesterday," Fierro observes in questioning Dr. Miller.

The coroner responds, "Yes, sir!"

Again Fierro must have known what was going on but failed to help his client's cause and exploit an obvious vulnerability in the Commonwealth's case. As for Miller, he was clearly aware of what had been described previously by Gleckner and Hunsinger, but he was let off the hook. As if that isn't enough, and even after establishing the second scene, we are told on page 264 that they removed the body to the east through the same row of corn. (This would be impossible at the 127-foot location!)

"Miller just plays a shell game with the body," my father concludes in his notes on the case. "How could the jury be aware of this if Fierro doesn't cry out?"

Again, Dr. Miller places the body nearer the Sylvan Dell Road, yet his testimony allows the prosecution to slip in Photo 7 showing the body at the 127-foot location.

"This writer knows the body was in the field on the 28<sup>th</sup> of October, 1973," my father wrote. "On the other hand, from these three testimonies, a sensible person can easily see that there was earlier discovery of the body."

The official finding of the body on the 28<sup>th</sup> was pulled off with quite a bit of fanfare, and it took place at the 127-foot location down the lane. All the appropriate personnel responded to the field quickly, as if poised to do so, but the sanctity of the so-called physical evidence gathered at the scene took a hit from heavy rains that struck at a crucial time.

Back to the transcript and some of my father's analysis of the testimony:

Corporal Donald J. Houser acted as Dr. Miller's "scribe" at the scene. Let's [follow Houser's account](#) of the duo's alleged approach to the body as described on page 367:

"...We walked back to where the victim's body was lying in the cornfield, and upon arriving, the Coroner, Trooper Keppick and I, we went approximately 20 to 30 feet south of the body. At this time we went in an eastward direction into the field and then, when we got into the field approximately 20 to 30 feet, we went in a northerly direction. ...We



*approached the body from the head..."*

*Now watch closely where Houser ends up as we follow on page 369.*

*"Upon viewing the body, I went back out to the road to the lane, and at that point, which was my job, to take notes on measurements that Dr. Miller took..." In other words, the coroner is taking measurements of and around the body and dictating to Houser who was standing on the road.*

*"I was out on the road," he says on page 403.*

***Is this really where he took measurements? 127 feet from the body!***

*"Here again we are out at the Sylvan Dell Road location, the same as Dr. Miller has testified," my father observed. "Houser states twice that he is out on the road. It would be very hard for anyone to believe that Houser, standing on Sylvan Dell Road, could hear anything from Dr. Miller at the 127-foot mark without hollering."*

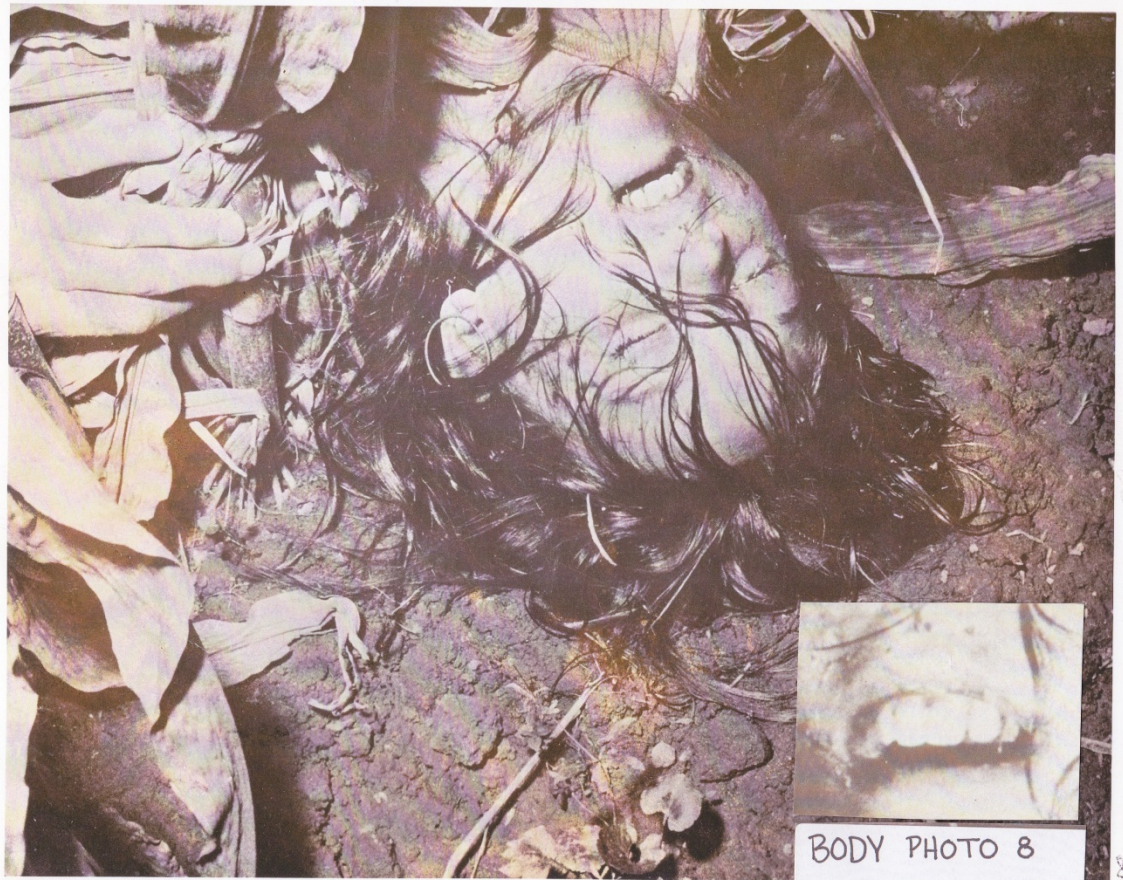
*Note: Houser, in his testimony states... "to the lane to the road." Is it just a mix-up in terminology? My father interpreted it as meaning that the state policeman was literally out on Sylvan Dell Road. Others shrug this off by assuming Houser meant lane when he said road. However, the road/lane mix-up must have been even more confusing for a jury trying to make sense out of the body location. Gleckner, at one point, calls the lane "the farm road."*

*Ertel muddies the picture by noting "whether you call it 'lane' or 'road,' farm road..." then, in his next question, Ertel calls it a 'cartway' (p. 368) Houser estimates the distance as 100 to 125 feet and Ertel quickly corrects him by saying, "No, I think you are going from the macadam surface to the body..." Miller calls it a "wagon path," adding that "as an ex-farm boy, I don't classify this as a road." He sees it as just a vehicle passage through planted corn. Okay, now we're talking at various times about a lane, road, cartway and wagon path. Is it any wonder the jury may not have been able to digest all this stuff, which all, at one time or another, were used to describe the field lane? It was simpler to just look at their maps, contrived ariel photos and body photos and assume the Commonwealth "experts" were accurate and truthful.*

***Review—You know now precisely where they put the body back in the field the second time. X marks the spot, which is 127 feet up the lane, according to the state's own evidence.***

Now, please look at Photo 8.

What you are about to see is probably the dumbest thing a Pennsylvania State Police officer could have ever done. He actually took a close-up at a crime scene with a ***dental tie in the corpse's mouth***. You see that little shiny thing on the left side of Jennifer's mouth (right facing) hanging down between her teeth? It's a piece of wire familiar to embalmers and, believe me, it does not belong there! ***Another Major Mistake!*** It is called a dental tie. It is used to close the mouth of a corpse as a prelude to the embalming process. Again, ***this clearly proves Jennifer Hill's body was taken out of the field and later returned to the field.***



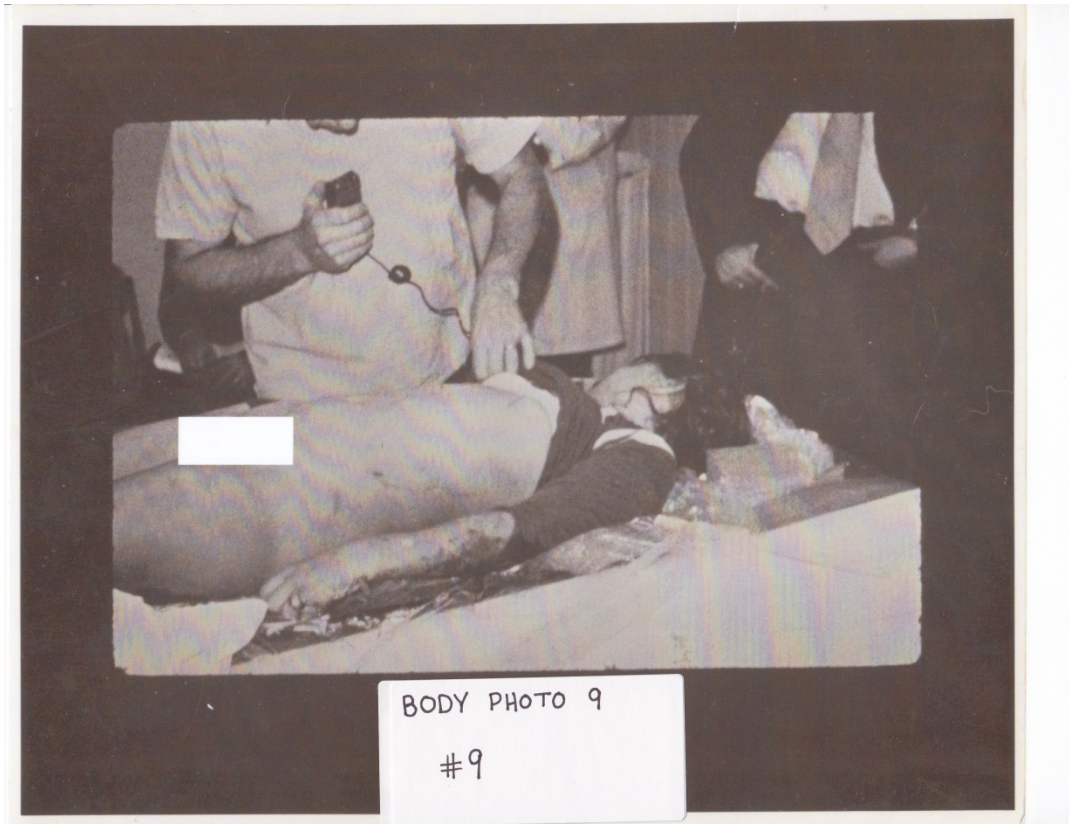
**Photo 8**

These people were so arrogant (or incompetent) they didn't even bother to remove the piece of wire from Jennifer's mouth when they put the body back in the field to create the second body dump scene. As obvious as it is to embalmers, it wasn't noticed until years after the trial. We now have personal computers to enlarge photos, and little things that may have gone unnoticed in 1973 become quite obvious. My father spent countless hours examining photos with a magnifying glass and didn't catch this. This dental tie was apparently placed within the first 36 hours after Jennifer Hill's body was initially found, and, by the way, her stomach would have been pumped at this time.

Now look at Photo 9. It was during this examination on October 29, 1973, according to the postmortem report (page 2, paragraph 3, sentence 1 and 2), that the pathologist describes the following: "On the ring finger on the right hand is a gold colored ring with a round red stone. On the ring finger of the left hand is a wraparound ring of silver colored metal." Again, I ask, what's wrong with this picture? There are **two rings on the left hand**. (Perhaps put back hurriedly after the body was initially examined?) This is an



inconsistency, likely a second scene photo, based on the postmortem report. While we're looking at this picture, remember Dr. Miller testified the body wasn't disturbed "**in any way**" until a forensic pathologist was called in. Just another inconsistency and evidence of sloppy procedure or something more sinister?



*Note: The man in this picture examining Jennifer Hill on a morgue table appears to be neither Dr. Catherman, the pathologist called in, nor Dr. Miller, who both had light-colored blonde or reddish hair, even on their forearms, and not the dark hair evidenced on the arms shown on this photo. Just another in a long list of mysteries.*

Now, go to evidence Photo 3 from the field. Look closely at Jennifer's left hand. If you blow up the photo and look closely at the ring finger on the left hand, you'll see there is no silver metallic wraparound ring of silver color metal there. You do see the gold ring with a round red stone, but that's supposed to be on the ring finger of the right hand, according to the postmortem report. This is obviously a **second scene picture** as has already been established by comparing corn rows.

It's the little things people miss that tell you a lot. It also tells you that someone wasn't paying attention when they put Jennifer's jewelry back on, apparently because they never thought anybody would ever notice seemingly trivial discrepancies. And they were right— at least long enough to gain a conviction over a naïve defendant, his trusting family and an inadequate defense.



In the next paragraph of the report describing the body, it states that “through a pierced right ear lobe and a clasp of gold color metal is a round thin ring of red painted metal.” The left earlobe is pierced but contains no earring. Again, someone didn’t read the postmortem report. They have the earring in the wrong ear. There are other things in these pictures I have not mentioned. When in doubt simply read the postmortem report.

Some of you may have already noticed the pictures that you are looking at are all black and white. Even back in 1973, crime scene photos in criminal homicide cases were taken in color. **Color photos in all probability would have highlighted the excellent condition of the body**, lack of deterioration and discoloration— something that clearly wouldn’t have been helpful to the prosecution. Again, it worked, because body condition never became an issue until after my trial.

***Before continuing, I urge you to read very carefully. Don’t take my word for anything. I challenge anyone who is looking at these pictures to do the following: take the postmortem report and print these pictures on good photo-quality paper. Then take them to any forensic pathologist, medical examiner or embalmer and ask their opinion. Does this report reflect the findings of a body lain in a field for nine days in room temperature weather, or, a body discovered in less than 36 hours? Let them compare the postmortem report with the photos of the body. Remember that embalmers are highly skilled professionals. Ask them if this is a dental tie in Jennifer’s mouth. They work on and prepare bodies all the time. They notice the little things most of us would overlook.***

This should absolutely prove to everyone reading this that District Attorney Allen Ertel, Pennsylvania State Police investigators, the Lycoming County Coroner’s Office under Dr. Earl R. Miller, and Dr. Robert L. Catherman, Medical Examiner and expert witness, did conspire to manufacture and manipulate evidence to bring on a false conviction and put me in prison for 10 years of my life! Were they able to assuage their consciences because 10 years seemed a small price to pay for murder? I would still be young when I got out of prison, that was true, but I was unfairly convicted and the real killer was never brought to justice.

Their conspiracy becomes evident for all to see in the Commonwealth’s own evidence. Ertel called them the “mosaic pieces” in outlining his circumstantial case to the jury, but the pieces add up to something else upon closer scrutiny.

I also know there are a lot of people who may read this who wish the evidence was gone and forgotten on the fortieth anniversary of the crime, but it’s not. **Believe me when I say, it will never go away!**

***What we’ve learned so far...***

Needless to say, what you’ve just learned is conclusive proof Jennifer Hill’s body was, in fact, taken out of the field and put back in again. This is something my family,

journalists and others who have taken a closer look at the case have been saying for years. Well-known defense attorney, William C. Costopoulos, whose investigative team reviewed this case in 1985, noted “gross inconsistencies in evidence presented by the prosecution.”

But people, unable to process such behavior in the American legal system, still said to them, *“You people are crazy. This kind of crap only happens on TV!”*

This has been a major cover-up in Lycoming County for 40 years! What has been presented so far—and this is just the beginning— should prove to everyone that the prosecution criminally conspired through the manufacture and manipulation of evidence to falsely convict me of murder in Williamsport, Pennsylvania, with a verdict rendered on March 1, 1974.

There is absolutely no way they could have ever given me a retrial for the following reasons:

- 1—there is no prosecutor anywhere in the United States who could validate the body condition based on the postmortem report— a report that wasn’t admitted into evidence in the first place;**
- 2—explain why a corpse would have an embalmer’s wire in its mouth at the scene of the crime, and**
- 3—explain those conflicting body scenes!**

All the appeals on my behalf were ultimately turned down for one reason or another. Costopoulos came to conclude that we (me and my family) could “expect no positive results from a criminal justice system which have served us so poorly in the past.”

Now, thanks to the internet, a person does not have to beg for help from a legal system more responsive to technicalities than the hard facts of evidence. This allows me renewed access to public opinion and you get to see what a great a job the prosecution did in convicting the wrong person. We can also show you, in many cases, how they did it.

J. Andrew Smyser, a Deputy in the Office of the Pennsylvania Attorney General and Director of the Office of Criminal Law under Attorney General Robert P. Kane, put the kibosh on investigating assorted evidence tampering in the case. He explains, in a letter dated Sept. 3, 1975, that the Attorney General, considered the chief law enforcement officer in Pennsylvania, “does not customarily investigate allegations concerning the evidence that has been submitted in a judicial proceeding.” Why? That’s the province of the county district attorney, he explains, suggesting that these allegations should be brought to the attention of the district attorney who prosecuted the case. Of course, that district attorney is the individual accused of doing the tampering.

The office of the Pennsylvania Attorney General has a long history of corruption, and it was particularly telling during the administration of Governor Milton Shapp when my case was tried and appealed. There were five different AG’s during Shapp’s two

terms (1971-79), and it was still an appointed office at that time.

The officials who were supposedly there to protect people from being wrongly prosecuted failed. The Pennsylvania State Police, by the way, report to the Attorney General— another reason not to stir the pot. Sometimes the only hope is with the people. You are the first to ever see the evidence and my personal side of the story in a unique format that allows you to look more closely at the evidence than the jury ever did. A lot of people have been exposed to bits and pieces of my case, but now you can examine testimony, photos and sworn affidavits of witnesses who never appeared in court or who never got to tell their whole story.

By the time you are exposed to all the discrepancies, inaccuracies and innuendos of this case— and there are more to come—I hope to have proven my point. I don't know if anyone has ever done it like this before, especially with the volume of evidence I have at my disposal.

***The chief reason this case will never go away is because of the years of effort my late father, Joseph R. Hubbard, devoted hoping to exonerate me. That never happened and my father went to his grave believing he had failed to do that. He died with all this information in his head. That information will not die with me as it did with him.***

I served my time and came back to live and work in the very community where I was tried for and convicted of second-degree murder. Fortunately, newspaper accounts of many of the discrepancies in my case in the years following my conviction allowed me to make a living, marry and raise a daughter with a minimum of censure. Much of this has to be credited to my father, who was relentless in getting out the story of how I was falsely convicted. Several newspapers looked into the case and published reports critical of the criminal justice system in Lycoming County.

What I present here is hard and convincing evidence. This should have been more than enough to prove that I, Kim Hubbard, was framed for a crime I did not commit.

### **Let's review what we have just learned...**

First, by reading the postmortem report it clearly shows Jennifer's body was found within 36 hours and taken out of the field— *something hidden from the public until after I was convicted and serving my time in state correctional facilities.*

The key is that when they put the body back in the field they made major mistakes. Laying the body across the corn rows instead of parallel running the same way with the rows as stated in transcripts is plainly visible to the reader. By reading the postmortem report, you can see that when they put the lifeless girl back in the field there were clearly visible changes.



Most people would say the biggest mistake was leaving the dental tie in Jennifer's mouth when they put her back in the field. I'd say the biggest mistake was actually taking a picture of her in the field with the dental tie in her mouth. The photo was taken by Pennsylvania State Police Trooper Joseph Keppick, according to testimony. Most people would not even begin to know what a dental tie is. The jury didn't, because they either didn't see it or didn't recognize it, probably because it was too small or deemed a flaw in the photograph. You can, because you can blow it up on your computer and you have the opportunity to confirm it yourself.

### **WORKING UP PUBLIC OUTRAGE OVER A SEX CRIME...**

*Hidden from the public was the fact that Jennifer Hill was **never sexually molested**. It was treated as a sex crime throughout until it was quietly disputed in medical testimony and in the postmortem report. Nor were there any injuries on the body consistent with an attempted sexual assault.*

*It started with the media coverage of the discovery of Jennifer Hill's body. The story in the Sun-Gazette on Oct. 29<sup>th</sup> stated in the second paragraph of the article that "the body was half nude" and said it was not known whether she had been sexually assaulted. It may not have been known, but it was certainly suggested. The following day they quote State Police Lt. Steven Hynick as saying the murder was definitely "sex-related" and that they would probably be questioning known sex offenders. The next day Hynick makes the curious observation that evidence leads them to believe "the Hill girl was strangled by a man, not a woman or young boy."*

*And, when I was arrested on Nov. 16, the newspaper quoted the wording in the last sentence of the arrest report: "...after committing, or attempting to commit, rape, deviate sexual intercourse, by force, threat of force or kidnapping."*

*Is it any wonder that there are still people in Lycoming County today who believe Jennifer Hill was sexually assaulted. Page 1 of the postmortem report ([Document 70](#)) will verify this she was **not**! Even the cause of death— **manual strangulation**— failed to indicate the struggle one might expect from a victim of her age and size. It was as if, in a fit of temper, she was struck or grabbed, collapsing her Cricoid cartilage and collapsing the air passage leading to death.*

*My father said it was described to him by a forensics expert who examined the evidence as "an I'm-sorry type murder."*

*And yet, Dr. Catherman, despite ruling out sexual assault or molestation as a factor in the body of evidence, including injuries and cause of death, went one statement beyond that finding by adding: "My findings, however, do not exclude some kind, whatever that may be, of sexual molestation. I just didn't find any injury."*

*That may have been the greatest favor he did for his old hometown friend, Dr. Miller, **allowing the prosecution to hang on that thread of a motive**. Without the sex card, there was no motive at all for a 19-year-old guy going with one of the prettiest girls in town to want to rendezvous with a 12-year-old girl.*

They are many discrepancies in these photos, and forensic scientists and criminologists, I'm sure, could find more. Bottom line is the postmortem report and the pictures do not fit. **Body photos should reinforce the findings in the autopsy, not**

raise more questions.

Finally, until this point in time, it was impossible to compare photos with medical records never admitted into evidence.

## DISCREPANCIES SEEN FROM ABOVE

What we are going to do now is analyze aerial photos 15 and 17. These are evidence photos 36 and 37, respectively, used in the trial provide an overview of the second scene. According to testimony, these photos were taken by Pennsylvania State Police Cpl. Donald Houser (page 381) **AFTER** the body was found in the cornfield on October 28<sup>th</sup>, 1973. No testimony was ever given at the trial as to the **exact time or date** they were taken.

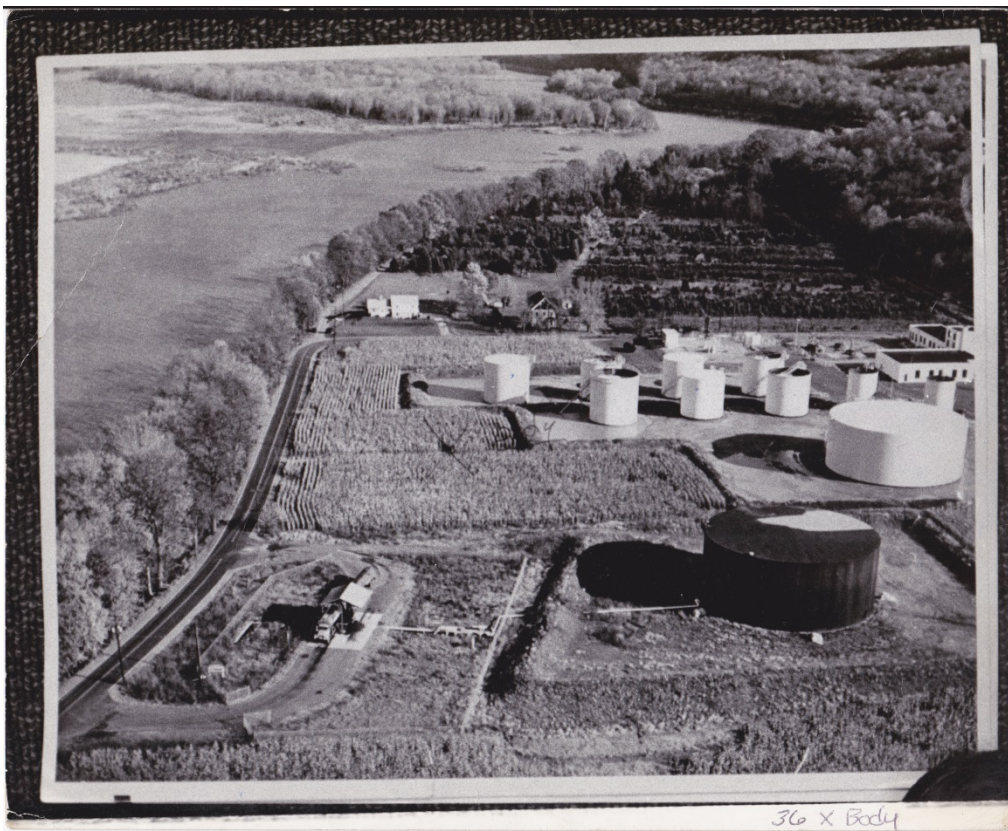


Figure 7: Photo 15 (repeat)

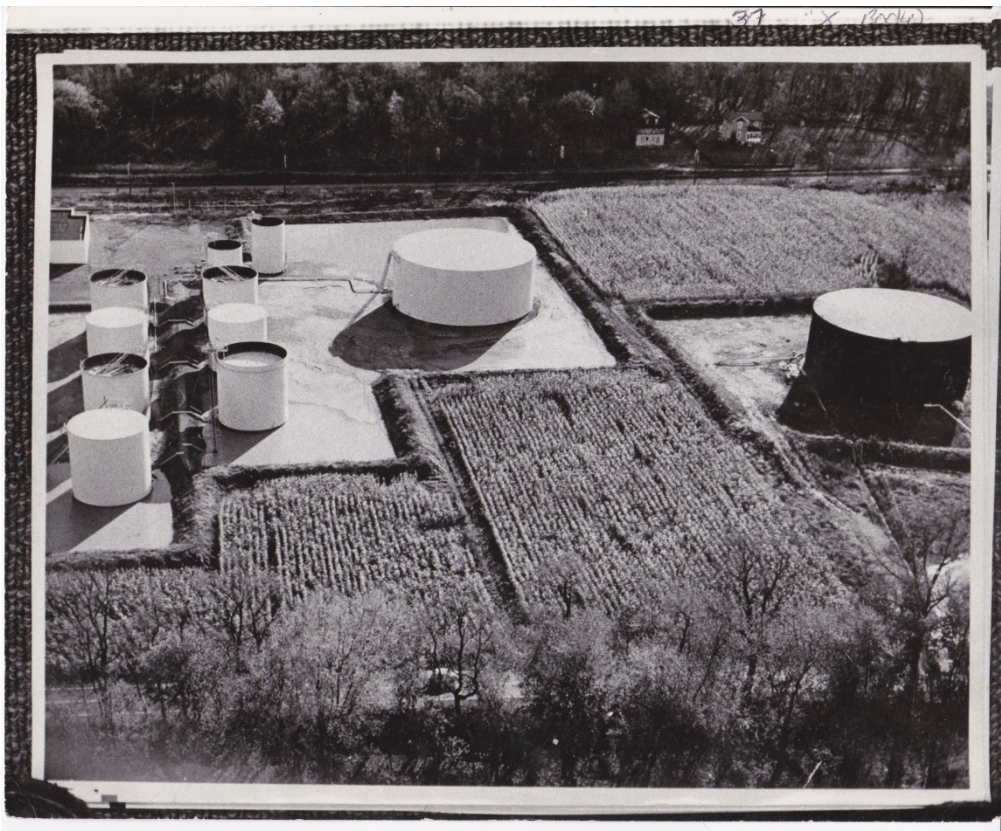
An access lane, previously described as the farm lane, runs from the Sylvan Dell Road south (bottom to top) to the ARCO tanks area as shown in both photos 15 and 17. You may want to print out these two photos or open both on your screen. It is important that you can compare these pictures side by side.

The lane, as you can see, cuts through a planted cornfield. You should notice a rectangular notch on the left side of the lane, which was supposedly measured as 127



½ feet from the Sylvan Dell Road in Photo 15. This photo also offers a clearer view of how the corn rows run in different directions. Ariel photo 17 gives a clearer view of the notch where corn was cut out at the alleged body scene, but the view of the rows running parallel to Sylvan Dell Road is obstructed by trees. Photo 15, as it turns out, is one they prosecution should have done without— not only because it shows the direction of the corn rows adjacent to Sylvan Dell Road but because it will ultimately betray when the photos were taken.

On both photos the district attorney during trial testimony put an “X” on this spot and wrote the word “body.” State police testimony verified this as where the body was found. **In reality this is a second scene picture** of a body “discovered,” for the record, in the field on October 28, 1973 at 4:00 PM.



**Figure 8: Photo 17**

Look closely. No activity such as workmen can be seen in either ariel photo at the ARCO complex. Both ariel photos are showing a day that is bright and sunny. The tank shadows show the time of day as late afternoon. Please, look at Photo 15. In the lower right of this photo you will see a rusted tank that is in the process of being painted. As you can see a section of the top of that tank has been completed. Now, look at photo 17. You will now see the top of this tank is fully painted! This is amazing!



Again, these photos were shown to the jury and **the jury was led to believe that these pictures were taking on the day after the discovery of the body.** But were they?

Remember, Jennifer's body was supposed to have been found at 4 o'clock on the 28<sup>th</sup>. According to testimony it started raining at 4:30 PM, so we know Cpl. Houser did not take these pictures on the 28<sup>th</sup>. Look at photo 13.5. This picture was taken by the *Williamsport Sun Gazette* on the next day, the 29<sup>th</sup>. Plastic is clearly seen on the lane. Photos 20 and 17 also clearly show no activity on the lane. And you can see the surface water behind the painted tanks from the recent rain. Amazing!

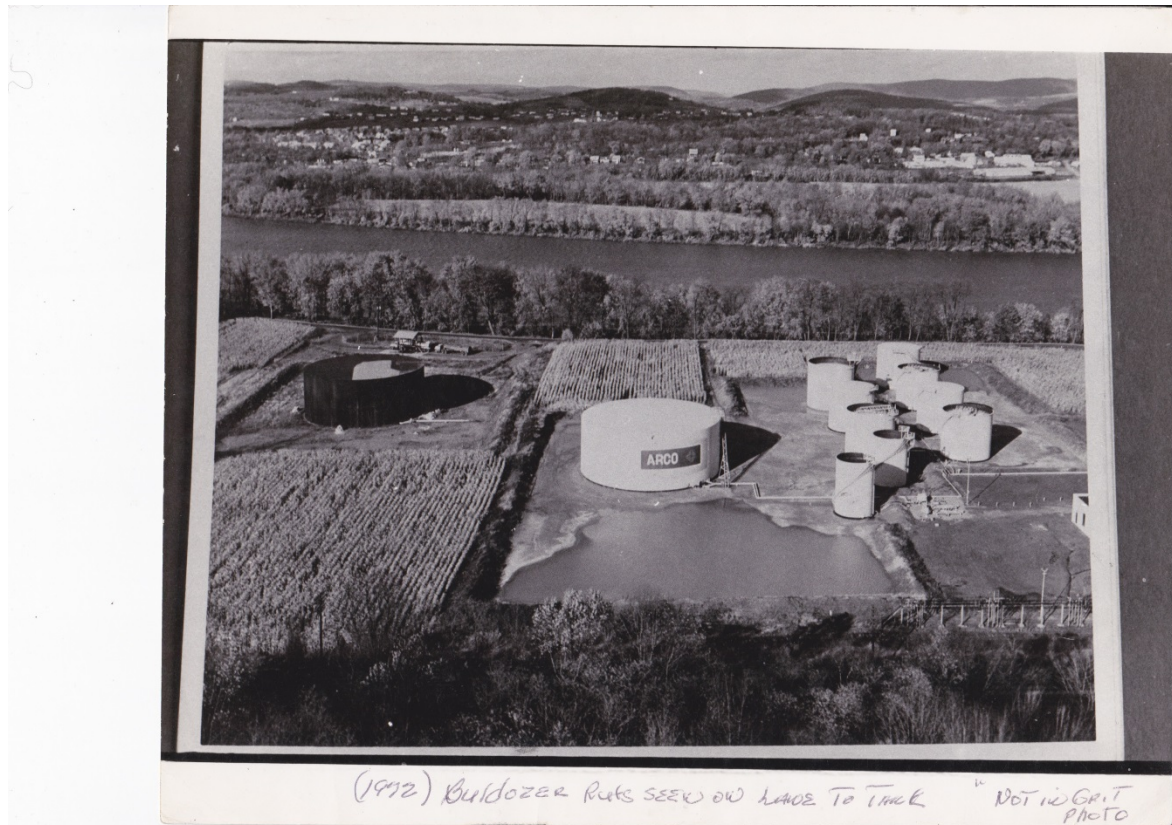


**Figure 9: Photo 13.5: Williamsport Sun-Gazette photo**

Look again at Photo 20. Check out the lower right-hand corner. Come up three



inches you'll see the corner of a white building. You should little white fence posts or the bases for posts— not the taller posts further below at the perimeter of the ARCO compound. There are six short posts counting from right to left. You should also notice a taller light pole. Now, go to Photo 17. In the upper left-hand corner you will see that building again. Blowing this up it is clear the six posts are no longer there. The light pole is also gone. You simply see a hole where it was. Amazing!



**Figure 10: Photo 20 taken in June 1972 after Hurricane Agnes, looking north.**

Now go to Photo 15 again. On the upper middle portion of the picture you will count nine tanks. If you had a bicycle you could ride in and around these tanks, all over that area, and have no problem at all. As a matter of fact, blow the photo up and you can see **it's perfectly flat and smooth around these tanks.**

Go back to Photo 17. If you try to ride your bike between these tanks now, you'll likely end up in the hospital. Take a close look at what they built. Amazing! It is a levee, and **you can bet no one filled it all in and concreted on their lunch break!** What else does it show? It shows the Pennsylvania State Police manufactured and manipulated evidence to create a false evidence scene!

***Were these photos taken days or weeks apart? Why?***

Now, I should have your attention. And, again, this is their evidence, used to convict me and put me in prison for 10 years. Some people may ask why the jury didn't see this? If I were on the jury, I probably wouldn't have seen this myself. It wasn't the jury's fault. Allen Ertel talked circles around the facts of the case the whole trial, relying on their faith in the system and naïveté.

When the jury didn't understand something they looked at the prosecutor and said, *"It's okay. We trust you. We know you wouldn't lie. We know you are here to protect us from evil. You are the pillar of truth and justice of our community."*

Sometimes the pursuit of justice is overshadowed by personal ambition and allowing a courtroom and career triumph to take precedence over doing the right thing.

Again, as you can see in Photos 15 and 17, "X" marks the spot (near the notch) where Jennifer Hill's body was supposed to have been found, according to the prosecution.

Now, please look at Photo 17. Look at the lane, blow it up if you have to but look at the lane closely. See the bulldozer tracks go up and down the lane, right up to the point where it goes up and over the dike into the tank area? You see how the bulldozer tracks carved up the levee as the bulldozer went up and over?

Now go to Photo 20. You also can see the bulldozer tracks clearly as they come over the top of the dike in this photo. Look closely at the lane. You can see it's well rutted with the bulldozer tractors treads. Now go back to Photo 17. Again, look at the deeply rutted road. There is no doubt a bulldozer has been up and down this lane several times.

**Warning!** What you are about to see may be tough to digest if you believe in our criminal justice system. This is law and justice in Lycoming County at its worst! Remember Cpl. Houser of the Pennsylvania State Police "testified under oath" that he took these pictures AFTER Jennifer Hill's body was found. Please go to Photo 13, published by the *Grit* Newspaper and taken on October 29<sup>th</sup>, the day after Jennifer's body was found. Look closely at the picture, and compare it with Photo 17. Where are the bulldozer tracks?

Look at the bank at the end of the lane at the perimeter of the tank area. **There has been no bulldozer up this lane in months.** Grass and weeds have grown back in.

Again, all this proves is that Cpl. Houser lied about these photos to help establish a false second scene! Remember Photo 13 was taken for the *Grit* newspaper the day after Jennifer Hill's body was found! What you are seeing now the public has never seen before other than this website. You might want to pause here and reflect on what these photos are telling us.





**Figure 11: Photo 13 from the Grit newspaper**

Look at the photos and remember that this is the shaky foundation upon which the Commonwealth would construct its case. I try to put myself on that jury and wonder if I, as one of them, would really know what I was looking at as the photos were passed around to bolster specific points in the testimony. **I don't think they really had much of a chance to piece any of this together.** I know none of it made sense to me at the time, and I confess that much of what occurred at that trial has been erased from my memory. But I will make sure you do, and aren't intimidated or confused by their so-called evidence. Take your time and compare Photos 15, 17, 20 and 13.

**What have we just learned?** Photos 15 and 17 definitely were not taken on the same day! You, the reader, should clearly see this. What would be the point of manufacturing and manipulating the photos other than to baffle the jury? Ertel was essentially connecting the dots of so-called evidence to create a distorted picture, using witnesses who, by authority and title, would impress the jury as being credible.

For example, with hundreds of people involved in the search for Jennifer Hill, the

two guys who first see the body are the highest ranking members of the Civil Air Patrol. All the key members of the prosecution team, including Ertel himself, the coroner and chief state police investigators, respond within minutes after the find is announced on a Sunday afternoon— nine days after the girl was reported missing.

## PHANTOM BULLDOZER SETS UP CRIME SCENE

Reading from trial transcript (page 426) where, during direct examination, Allen Ertel, is questioning [Paul L. Kremser](#), a contractor from nearby Montoursville, PA.

*Q: Now, did you have occasion to ever be in that area, in the Sylvan Dell area, to work with dirt there?*

*A: Yes, sir.*

Now we go to page 427 of the transcripts.

*Q: When was the last time you were over there?*

*A: "We were over there twice last year. I was there, oh, probably four months before the 19<sup>th</sup> and **we did another small job.**"*

What are we being told here? Kremser, a local contractor, did work in the vicinity of the ARCO tanks four months before the 19<sup>th</sup> of October— the date of Jennifer Hill's disappearance.

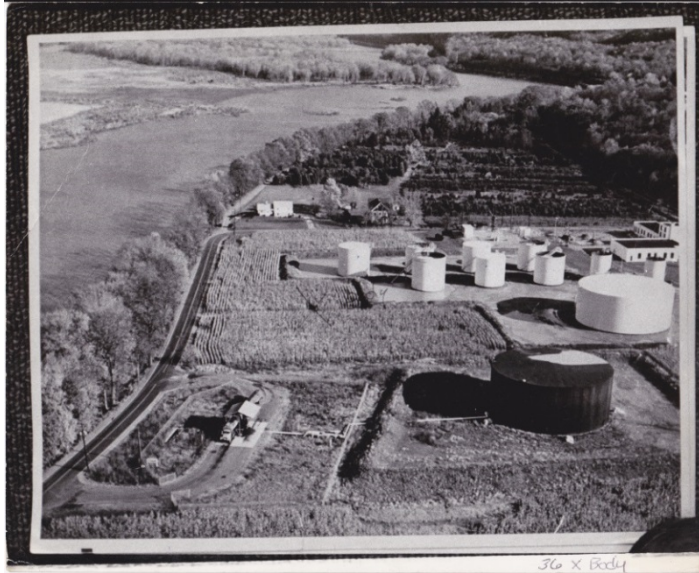
This statement does not coincide with a statement from an Atlantic Richfield Company (ARCO) spokesperson, Mr. Paul Miller, who told my father that the "only time" the contractor or his bulldozer was back in the lane in question was shortly after Hurricane Agnes flooding in June 1972. It appears Mr. Kremser, who testified in February of 1974, was talking about something that happened a year earlier and, again, closer to the time frame of the June 1972 flooding.

The point I'm getting at is Photo 15 obviously was the first picture taken. Photo 17, therefore, is the second picture taken, because it shows the work completed. All photos clearly show water inside the dike system protecting the tanks. The brunt of the Agnes flooding came in the wake of the storm in June of '72 between the 21<sup>st</sup> and the 24<sup>th</sup>.

Maybe you have already guessed what I'm trying to explain. Please look at photo 15 where "X" marks the spot where Jennifer Hill was *supposedly* found. Pretend you are standing on the lane looking eastward at the spot (second scene). Now turn right and walk back toward the tanks until you reach the corn rows running east and west on your left. There are eight corn rows— just as there are next to Sylvan Dell Road. These are known as sweep rows when planting.

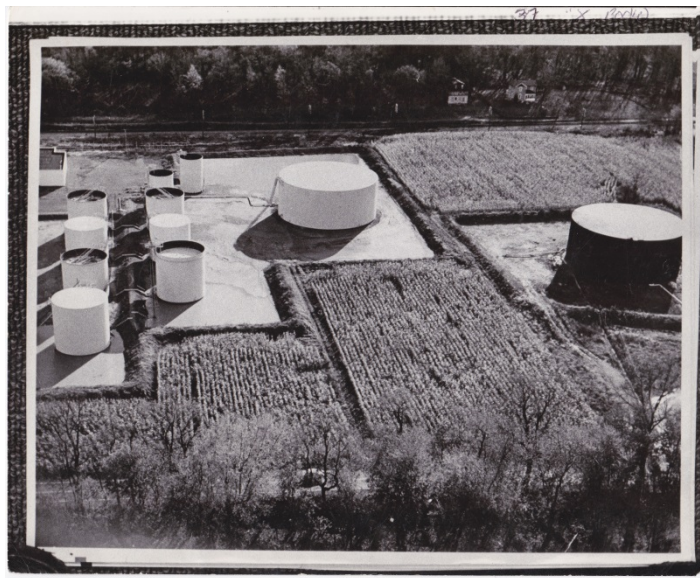


Now check out photo 17. Look at this same area, and you'll see **most of those rows are gone**, as if chomped away by some prehistoric herbivore. The reason all that corn is missing is because the levee was repaired there and the bulldozer took the corn rows out. You can also clearly see bulldozer tracks from Sylvan Dell Road all the way



up to where the bulldozer goes up over the embankment and into the tank containment area.

Remember, according to testimony, these pictures were taken AFTER the body was supposedly found. And remember this when we look at further testimony about the phantom bulldozer conveniently returning to the lane on the day of the crime.





Now go to my favorite picture, Photo 13, taken by the *Grit* weekly newspaper the day after Jennifer's body was found. (Photo 13, by the way, is not in evidence.)

Examine the lane carefully. The focus is so clear you can even see individual leaves and the texture of grass and dirt. Yet, there are **no bulldozer cleat marks or ruts anywhere on lane!** Amazing isn't it?

Look up the lane to the left where the corn is cut out on Photo 17. Now look at photo 13. There is heavy vegetation covering much of the lane and, therefore, no evidence of any vehicle being there in months. With all the vegetation you see, it doesn't look as if any work has been done on this lane any time in the previous year. The June 1972 time frame is the more likely fit for Mr. Kremser's bulldozer work. What do you think?

You were never supposed to see the picture (Photo 13) you're looking at! Photo 13 is similar to a Photo 11 which appeared in Williamsport's daily newspaper, *the Sun Gazette*.



**Figure 12: Photo 11 from the Williamsport Sun-Gazette**

You have just witnessed **further proof of a manufactured evidence scene**, and

these were published for public consumption in the local press months before I went on trial.

What does this mean? Photos 15 and 17 were taken long before Jennifer Hill ever left the Hubbards' house on October 19, 1973. How long do you think it would take for all that vegetation to return to that thickness and for deep ruts to wear away? A whole season? I don't know, but I definitely see what you're seeing, which means Photos 15, 17 and 20 are **not even murder scene photos!**

I don't know where they got these pictures, maybe from the contractors who did the original work in 1972 or from ARCO. I don't know, but the circumstances indicate to me that these photos were made for Atlantic Richfield Company, commonly known as ARCO, now a subsidiary of Tesoro Corporation, to document construction work, started and completed, a good year before Jennifer Hill became a murder victim. My understanding is that OSHA was involved in this post-flood project in what is a floodplain area near the West Branch of the Susquehanna River (you can see the proximity of the river in Photo 15) and **there must have been work records somewhere.** They are definitely not murder scene photos!

Work records, as noted before, were only promised to us in the event I received a new trial. That's what you might call a Catch 22— **information that might have helped me get a new trial would only be available to me if I received a new trial.** Who knows, after all these years, if there is any record at all?

This was apparently all contrived to hide the "original body scene" and create a second scene where they could put the body back in the field further from public view to make it more believable. The notch cut in the corn was there long before Jennifer Hill died, though testimony about stalks being cut away from around the (second) body scene conveniently explains its presence to the jury.

If these were truly the murder scene photos of the actual location where Jennifer's body was found, the corn cutout would be near the mouth of the lane, just 27 feet up the lane. That may even have been close enough for Cpl. Houser to actually take notes from Sylvan Dell Road.

Just to help you get your bearings, imagine yourself in Photo 15 on Sylvan Dell Road at the mouth of the lane. Walk up the lane six or seven rows of corn and look to your left. There, three or four feet off the lane, you would see the feet of Jennifer Hill's body just as Gleckner and Hunsinger did **when the body was really discovered.**

So now, you may ask, why is there a rectangular cutout there at 127 feet? I can't tell you, but I can direct you to **a cutout identical to that in the same field.** Just return to Sylvan Dell Road back down the lane, turn left to the west, advance 30 feet and on your left, right next to the road, is a cutout of corn identical to the one where Allen Ertel's witnesses said stalks were cut away after Jennifer's body was found. These pictures turned out to be convenient for the prosecution to represent their preferred body scene, but they are not crime scene photos.

This is a good time to look at observations made by my father years ago after looking into the conflicting body-scene locations in that field. He took voluminous notes on all aspects of the case, but it all started, shortly after I was convicted, when he went back to the field. He literally spent hours there, measuring and making comparisons with photos. After that came an attempt to understand what really happened in the field, how a bulldozer came to be there to conduct earthmoving work on the levees around the perimeter of the ARCO tanks.

The mystery bulldozer was important because it was dirt cleaned from its tracks, forming a neat band across the lane, that allowed casts to be taken that supposedly linked me and my car to the scene. But we'll get into that later.

The following are the words of my father, occasionally paraphrased, but his words nonetheless:

*"Called Mr. (Michael) Houdak at the main ARCO office in Philadelphia PA.*

*"At one point in time after talking with Mr. Houdak about Mr. Kremser's work records and pay records that they surely must have, he agreed to look into the matter. After a period of time, their lawyer, Mr. Messersmith, stated via telephone that they would release their information in this event of a new trial!"*

*"Go get it! You have the tools under the law to do it," he urged himself in this written reminder. (The likelihood of such records still existing and available more than four decades later is unknown.)*

*However, Dad was persistent, as always. He was able to learn from Mr. Miller at the ARCO regional office that "the **only time** Kremser's men and a bulldozer were back on that lane in question was in 1972 after the Agnes flood!"*

*This transpired because, according to the ARCO spokesman, "the water came over the west levee and punctured a hole which undermined the storage tank at the head of the lane." They were there only for a short time, my father was informed.*

*My father was able to conclude: "Looking at the area photos (which I believe now are construction photos and not taken by the police) they showed work being done on this levee between the tanks that was performed in 1972." He learned that ARCO was under orders from OSHA, subject to penalty," to replace the wooden steps that go down to the dials on the tanks with steel steps."*

Again what you've just seen and read is the Pennsylvania State police manufacturing and manipulating evidence to create a second false evidence scene. **These aerial photos backfired, meant to give the jury a clearer view of their contrived body scene, revealed more than they ever intended.** The pictures tell the story, but we only wish ARCO would have been more forthcoming in sharing its records after my conviction.



## MUDSLINGING TAKES ON NEW MEANING

According to the trial transcripts, [H. Luther Dieffenbacher](#) was the operator of a bulldozer that allegedly did some work at the Atlantic Richfield storage facility on October 19, 1972. At the time Dieffenbacher worked for the contractor, Kremser Brothers, out of nearby Montoursville, PA.

According to Dieffenbacher, the bulldozer he used had been in Montoursville at the Dye-Tex facility (page 417). He testified that it was transported there via a lowboy directly to the cornfield along Sylvan Dell Road and offloaded at the mouth of the lane. Its tracks, connected metal links used for traction, were caked with “yellow clay material” from the Montoursville job site, he reported (page 418).

After offloading the bulldozer along the shoulder of Sylvan Dell Road at the mouth of the lane, he said he walked (actually drove) the bulldozer up the lane and up over the dike into the tank area and did some unspecified work. Subsequently, he testified, he drove the dozer back down the lane to where it had been offloaded (pages 418-419).

That’s the lane near where the body was supposedly found, described by the state police as extremely grassy as verified in Photo 13. Here’s how they tied the bulldozer to the crime scene. Pennsylvania State Police made tire casts on this lane— something they could not have done without the bulldozer having been there. Dieffenbacher testified (pages 419-420) that when the bulldozer was done working and while still in the lane, he took a shovel and used it to clean the bulldozer tracks.

**In other words, he removed mud from the treads on both sides of the bulldozer therefore depositing mud on the lane.**

According to the *Weekender* newspaper which investigated the Hubbard case six years after I was convicted, Dieffenbacher was contacted on March 2, 1980, about his role in the case.

Dieffenbacher said, *“I cleaned the tracks of the bulldozer with a shovel,” which he described as “normal procedure.”* Dieffenbacher estimated *the length of the lowboy used to transport the bulldozer as the standard 16-foot bed length with a gooseneck and estimated the maximum length, tractor and lowboy to be no more than 45 feet.*

*“I loaded the bulldozer onto the lowboy right off the berm of the road as I recall,” Dieffenbacher told the reporters. “We wouldn’t have backed it (the lowboy) onto the lane because we loaded it (the bulldozer) right onto the side of the lowboy (along the edge of the asphalt road).”*

According to investigators, this statement does not make sense. They went down this lane and found that the most recent bulldozer tread marks on the lane were “precisely” 39 feet from Sylvan Dell Road. What this means is that measuring from the white line on the highway in the foreground of Photo 11 the last bulldozer tread marks were 39 feet up this lane. This is the approximate length of the lowboy and tractor

combined were the tractor sitting on the edge of Sylvan Dell Road.

Photo 15, which clearly shows deep track marks up the lane, does not reveal where they started because trees along Sylvan Dell Road obstruct the view of that section of the lane. Did Dieffenbacher actually back the lowboy up the lane and load the bulldozer? Evidence on the lane would surely point to the fact he did—although when he did it is more critical to my case.

It shows that Dieffenbacher's memory, after seven years, may be a little vague. Look at Photos 11 and 13. Had Dieffenbacher loaded the bulldozer onto the lowboy right off the road, as he states he did, wouldn't there be some sign of bulldozer treads on the lane in these two pictures? Look closely. Indeed a picture — more specifically, what's NOT in the photo—is worth a thousand words!

**Tire casts used as evidence were made between the 26- and 29-foot mark on the lane, state police stated in establishing the chain of evidence. This was supposedly made possible by mud cleaned off the tracks on each side of the bulldozer which ended up conveniently spread along the lane there. Look at photo 13. Look at the plastic. Makes you wonder how long this bulldozer was?**

*And if that isn't confusing enough when it comes to supporting testimony about the bulldozer's role in providing a surface for tire casting, the investigators could only find evidence of one set of old bulldozer tracks in the field.*

In the interview with the *Weekender*, when asked if there wouldn't be two sets of tracks if the bulldozer went in and out the same lane, Dieffenbacher said the answer would most likely be yes —unless a remarkable coincidence took place.

"There had to be a set of tracks in and a set of tracks out," Dieffenbacher said—unless, he said, the bulldozer happened to use the **same identical path out the lane and the tracks matched up perfectly.**

According to Mr. Dieffenbacher it was "normal procedure" to clean the mud off the bulldozer after being used.

Here's his explanation on page 417-18 of trial transcripts.

*Q: And was there some sort of material on your bulldozer when you went over to the Sylvan Dell area?*

*A: Yes, the bulldozer was, the tracks were loaded pretty good with this material and we wanted to go over there and we wanted to get back before noon, so we just sort of loaded it up and took it over.*

*Q: You didn't clean it, in other words, before you went over?*

*A: No.*

Well, so much for normal procedures! Again, this is just another inconsistency with Dieffenbacher's memory.

Reiterating Dieffenbacher's testimony on page 418 of trial transcripts when Ertel asked him if there was "some sort of material" on the bulldozer when they brought to the

field:

A: “Yes, the bulldozer was, the tracks were **loaded pretty good** with this material and we wanted to go over there and wanted to get back before noon, so we just sort of loaded it up and took it over.”

*Look at Photo 13. If those tracks were “loaded pretty good” with mud or dirt and if Dieffenbacher really did clean all this material off with a shovel, why can’t you see any mud or dirt on the lane where the casts were allegedly made? Remember, the state police said all the casts they made were between 26 to 29 feet off Sylvan Dell Road on the lane. The plastic, noted in testimony, marks where the casts were made during what was a downpour less than an hour after the body was “discovered” on Oct. 28.*

Does any of this make sense? In these photos, we’re looking at the very area where they supposedly made those casts, thanks to mud, dirt or clay from the bulldozer tracks. Shouldn’t we be able to see some kinds of deposits shoveled off the mud-caked tracks there? And, it may be coincidental but interesting nonetheless, that he made a point of this work having to be finished by noon, considering Jennifer Hill’s body was allegedly dumped off that same lane later that same afternoon (Oct. 19, 1973).

If this doesn’t make sense, try this. Look at Photo 13 again. Picture a bulldozer sitting on this lane. Picture someone cleaning the tracks off on each side of this bulldozer, considering that **distance between tracks were eight feet apart on the outside, according to investigators who measured bulldozer imprints**. Where would he put the dirt? Would he have merely knocked the dirt off and let it fall on each side of the dozer? If that’s the case, the dirt wouldn’t have even been on the lane because the width of the tracks was actually wider than the lane. Apparently any vehicle that left prints there would have to drive off the lane.

Did the bulldozer operator take the time to carry dirt by the shovelful around the bulldozer to throw on the lane?

Please remember that the state police stated the only reason they could make tire casts of Kim Hubbard’s car tires was because **Dieffenbacher cleaned the dirt off the bulldozer on a rarely used lane just hours before it would become a crime scene**.

Again, look at Photo 13. Does it look like a bulldozer had recently traveled up this lane, crawled up and over the levee at the end and then returned the same way, leaving only one discernible set of prints? Does the foliage look like a bulldozer has run over it two times just days before? Look at Photo 18. This lane goes straight to the levee. The pictures don’t fit the testimony at the crime scene!

And adding to all the coincidences that contributed to the Commonwealth’s gathering of evidence used to convict me is the unbelievable timing of someone leaving fresh dirt from an undocumented job **on the very day the killer of Jennifer Hill dumped her body there**.



When you really look at this case, things don't add up. I know I repeat myself a lot, but it's just to make sure that you understand what I'm trying to say. There are no records of this work ever being done on October 19, 1973, either in the files of Kremser Bros of Montoursville or in the files of the Atlantic Richfield Company whose spokesperson already stated that the **only time a Kremser bulldozer was back in the lane in question was after the Agnes flood for a short time. That was in 1972, not 1973. And even after the Weekender made this discrepancy public, neither the contractor nor ARCO stepped forward with documentation that would resolve this evidentiary dilemma.**

**Another review: What have we learned?**

1. The only bulldozer tracks on the lane investigators found started at **39 feet up the lane** from Sylvan Dell Road and they were far from recent. Pennsylvania State police said tire casts were poured on the lane between 26 and 29 feet, thanks to mud cleaned off the bulldozer by Mr. Dieffenbacher.
2. With all the mud that was supposed to have been cleaned off this bulldozer, where is evidence of this mud on this lane in Oct. 29<sup>th</sup> photos if this bulldozer activity took place just 10 days before? Why can't we see any traces of mud or piles of dirt anywhere in photo 13?
3. Why is it, Kremser Bros., the contractor whose employee provided verbal testimony, could not even produce a work order or even prove they were there on October 19<sup>th</sup> 1973?

I've saved the best for last— just something for you to think about. According to Mr. Dieffenbacher's testimony (page 421), he said he loaded the tractor off the road maybe 20-25 feet up the lane. Of course this is not what he told the *Weekender* reporters, but it really doesn't matter where he unloaded the damn thing. According to the state police, they made all their casts between 26 and 29 feet up the Lane.

If this is true, look closely at the **tire cast mud prints**. There are three of them: Photos 27, 32 and 33. Photo 27 is the clearest picture to look at. You can see the tire prints running into the cast and you can see them running out the other side, I can't emphasize this enough. Please look carefully at the mud or the groundcover around each mud print.

***There are no bulldozer cleat marks anywhere in these pictures!***

Plus, look at all the tire casts supposedly made on this lane. You should be able to answer the following: Where are the bulldozer cleat marks? They should be somewhere since they were the source of the mud. So, what does it tell you? The Commonwealth's own evidence proves there was no bulldozer cleat marks on this lane between 26 and 29 feet.

Common sense and logic should bring you to the following conclusions:

1. no bulldozer cleat marks mean no bulldozer,
2. no bulldozer means no mud.
3. and no mud means no tire evidence. Seeing is believing.

It also makes you wonder where these tire casts were really made? Yes, work was done on this lane, but the truth lies in when the work was done and where the tire casts were actually made.

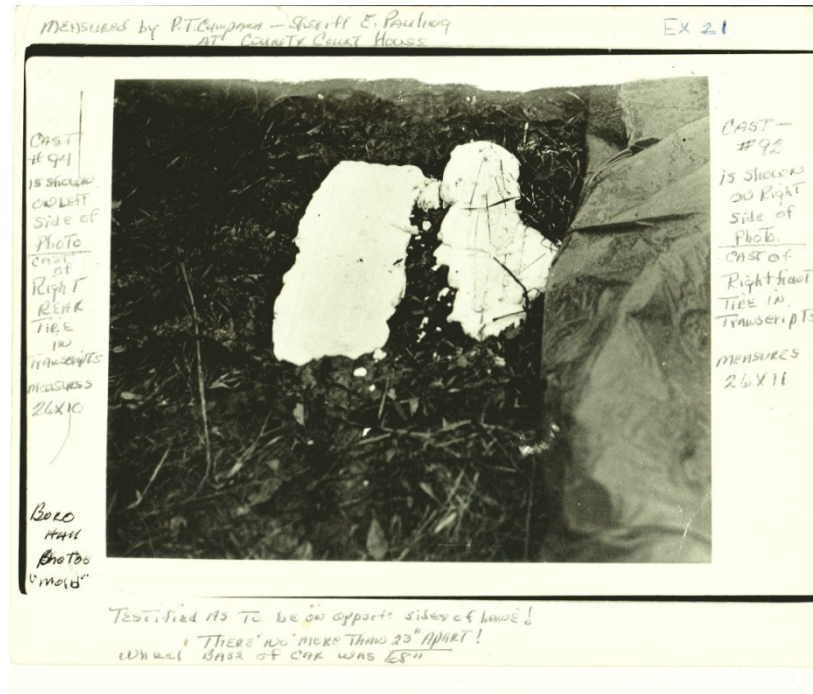


Figure 13: Photo 27



Figure 14: Photo 32

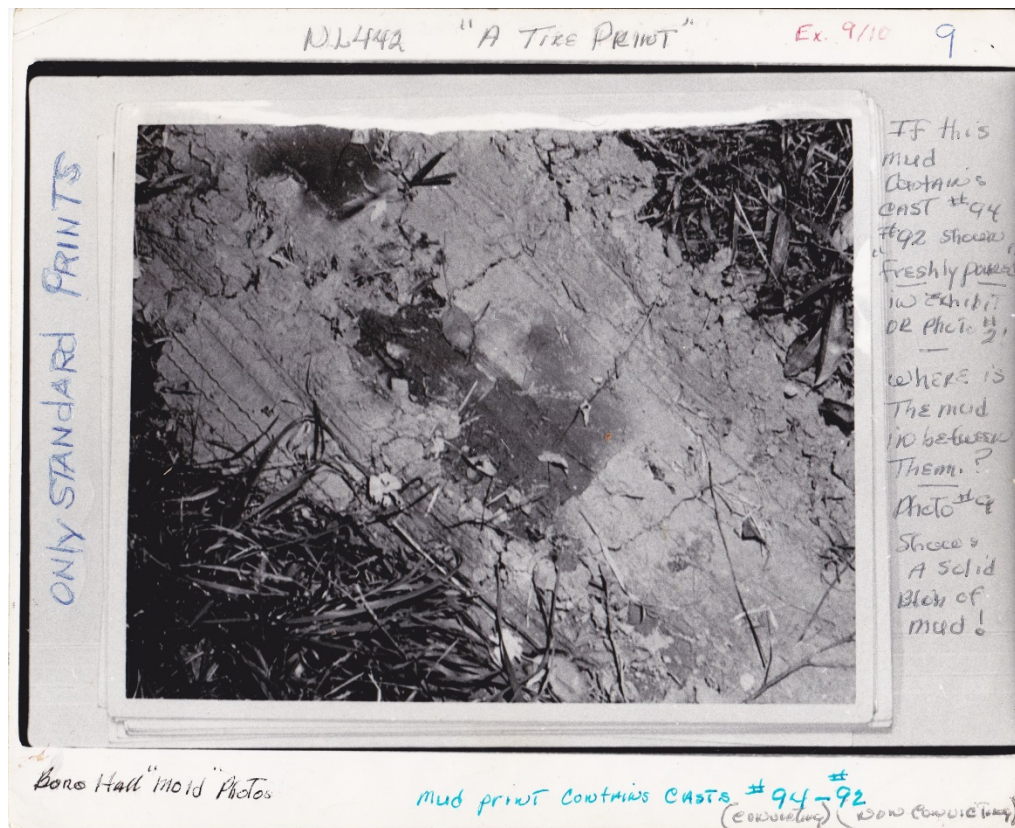


Figure 15: Photo 33

## TIRE, TIRE WHO'S GOT THE TIRE?

What you are going to read now is from an article written by Wes Skillings, a former reporter for the Grit newspaper, a weekly newspaper in Williamsport, the first to write about and expose to the public the inconsistencies in the Hubbard trial:

*"In a nutshell, here are the prosecution's main points of evidence against Hubbard.*

1. Tire prints matching those of the defendant's car were found at the scene.
2. Footprints corresponding with one of the defendant's boots were found at the scene.
3. And eyewitness said she saw Jennifer Hill get into a green car resembling Hubbard's at 4:30 PM. on October 19th, 1973—about 45 minutes after the girl left Hubbard's house for her home.

*"Testimony on tire prints and cast prints taken at the scene where the body was found was presented in such a confusing manner (using a proliferation of exhibit numbers to denote prints, casts and photographs) that the jurors had to feel totally inadequate in gauging their merit. Even sitting down with the transcripts and evidence photographs and trying to figure out what tire belong to what print and their corresponding cast is virtually impossible. I know. I pored over these areas of testimony for hours at a time.*

*"Nevertheless, the jury can't be blamed for being impressed by the testimony. At least, they must have assumed, these men appear to know what they were talking about. There are a lot of discrepancies in this key area of evidence —many of them too complex to talk about in*



*this column—but there was one discrepancy that was so outrageous that one wondered how it could have gone unnoticed until after the trial. According to several people who saw all the tires on Hubbard’s car during the period the girl was missing, all the tires on the vehicle including the spare were either bald or balding.*

*“One of the prints cast in the field depicts a tire with no apparent wear. In fact, one of the tires entered into evidence and connected to one of these prints was practically brand new.*

*“It’s true. The new tires did belong to Kim Hubbard. A man from a nearby service station installed it on the defendant’s vehicle on the morning of October 29, 1973, to replace a flat tire as the car sat in front of the Hubbard’s house.*

*“The sticky part is that this was done the day after the girl’s body was found and evidence had allegedly been gathered at the scene. How did the prosecution get tire prints off that cornfield lane, supposedly there since October 19, when the tire wasn’t even on the convicted man’s vehicle until 10 days later?”*

The reason I quote this article based on information reported in the Grit by Skillings, was to show the public was made aware of this back in the seventies and nothing was done.

When Pennsylvania State Police Lieutenant Steven Hynick came to my house to take my car, I remember him asking me if I altered the car in any way shape or form. I forgot to tell him that on the 29<sup>th</sup> of October after I got up and was getting ready to go to school, I noticed my tire was flat. I then went back into the house and told my dad of my problem. He said he’d take care of it and I walked to school that day.

Please look at photo 25, which, as you can tell, is the cast of the treads of a new tire. Now go to trial transcripts page 516 and 517, and Robert Faust, owner of Poole’s gas station.

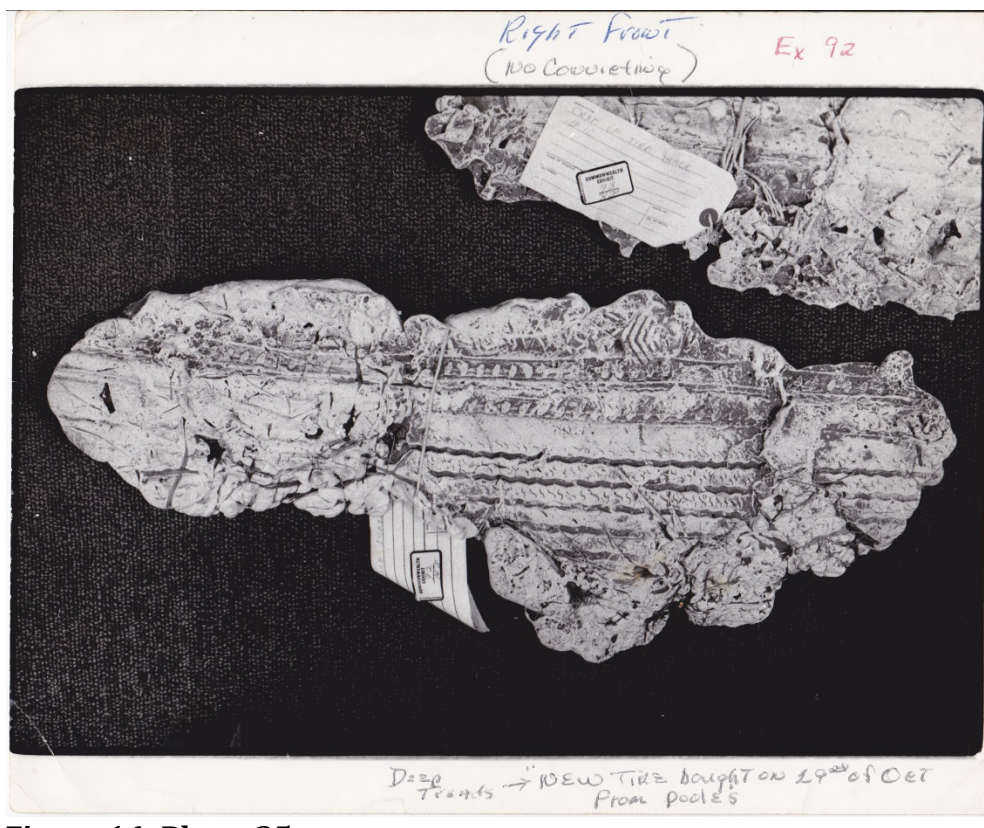


Figure 16: Photo 25

Faust, under cross examination by Fierro, states that on October 29<sup>th</sup> he sent one of his helpers to the Hubbards' house, took the flat tire off my car, brought it back to the service station, and he himself took the old tire off and put a new one on. Again, this is on the 29<sup>th</sup>. So how is it possible for this tire to be in a tire cast supposedly made in the field on October 19<sup>th</sup> — or any time before the body was found, for that matter? **It's not possible.**

I will cite part of an article that was published by the *Weekender* newspaper in 1980, after five more years of investigation. This is an interview of Charles King, who worked with my father after my trial in uncovering the maneuverings and manipulations used to convict me. The King Interview is also on this website in its entirety: "King Interview: The one who persisted."

***(This series is a very in-depth account of precisely what happened and what they did to convict me. It's a must-read to put the investigation and subsequent trial in perspective.)***

Following are excerpts of that interview relevant to the tires and casts reportedly made at the cornfield:

*"The issue of the tires and cast that played a major role in the conviction of Kim Hubbard of West Central Ave, for the murder of 12-year-old Jennifer Hill has been a source of speculation and concern during the investigation of the Weekender.*

*“Questions constantly brought up in arguments related to tire tampering. They include allegations that tires were switched and casts were made elsewhere than at Sylvan Dell Road where Jennifer Hill’s body was found.*

*“Public defender Jack Felix had filed a motion for a new trial based on newly discovered evidence. Felix’s grounds for filing the motions were related to the alleged tampering with Kim Hubbard’s car and making of additional casts at South Williamsport Borough Hall, while the car was impounded from October 31<sup>st</sup> to Nov. 7<sup>th</sup> 1973.*

*“In answer to Felix’s motion for a new trial, then District Attorney Allen E. Ertel said, in the answering brief, ‘the public Defender (Felix) states that the tire evidence shows a transferring of certain tires by the state police and the making of additional casts at the borough Hall after the defendant’s car was impounded.’*

*“Ertel then added, ‘Such an allegation is not only irresponsible, but reckless.’*

*“Ertel stated that if the allegations made by the defense were true... ‘There is no affidavit of any person to substantiate this allegation.’*

*“Yet there is. South Williamsport borough maintenance supervisor James Merrick signed an affidavit on January 6, 1975, that he had been ordered to interchange tires on Hubbard’s impounded car when it sat in the South Williamsport Borough Hall.*

*“According to Merrick’s sworn statement: ‘Chief Charles Smith of the South Williamsport Police Department contacted me by telephone at my home during the evening hours of either October 31 or Nov. 1, 1973, and asked me to come to the borough Hall and unlock the tools for which I had the key.’*

*“After arriving at the borough Hall, I took the floor jack and removed the (two) rear tires and the right front tire off of Hubbard’s car.*

*“I then took a spare tire out of the trunk and installed it on the right front of the car.*

*“I did these activities in the presence of Chief Smith and other state police officers at their direction.’ (see [Document 54](#))*

*“Merrick’s sworn statement was in front of Sherry A. Smith, Notary Public.”*

*The Weekender’s coverage on the tires and casts continues:*

*“A few weeks back, Weekender reporters Dwight Schmuck and Brad English, while conducting their initial investigation, got word that Capt. Francis X. Ross of the South Williamsport Police Department was spreading word that the Weekender had better not print anything about the new tire in the paper or there would be trouble.*

*“English stated, on one evening, the date I’m not certain, that he and Schmuck contacted Captain Ross... And requested him to meet us at the Humdinger restaurant in South Williamsport.*

*“We asked Capt. Ross about his opinion of the article concerning the Kim Lee Hubbard case. We also discussed things about the case.*

*“During the conversation, Capt. Ross told us that he knew of at least one tire cast being made in the South Williamsport Borough Hall. He said the cast was made, in his words, ‘for comparison.’*

*“This challenged Ertel’s dismissal of Felix’s allegations that additional tires casts were manufactured at the borough Hall.*

*“No further word was heard about this incident until April 5 this year when Joe Hubbard, father of Kim Hubbard, encountered Ross on E. Mountain Ave. in South Williamsport.*



*"During this encounter Ross told Hubbard that if they say anything about the new tire.... they are going to be in trouble. Hubbard contended Ross was referring this time to the state police.*

*"However, Ross added he saw the state police run Kim's new tire through the trough of plaster of Paris at the borough Hall on October 31, 1973.*

*"Later on that night, Hubbard invited Ross over to his home and in front of Weekend reporter Dwight Schmuck, relayed the same statement he had made earlier to Hubbard.*

*"This was the same night, according to Merrick's sworn statement, that Kim's car was impounded. It was also the same night Merrick removed the two rear tires, the right front, and took the spare from the trunk and put it on the right front."*

The Weekender, in its investigation, reported other interesting information pertaining to the tires changed on the car AFTER the girl's body was found:

*"Further discrepancies followed. [State Police Officer Alfred Gomb](#) stated he received the spare tire taken off the left front of Kim Hubbard's car at Poole's Sunoco in South Williamsport on Oct. 31<sup>st</sup>, 1973. This was tire number 90 in state's evidence (see [King Interview for further information on tire 90](#)).*

*"However, [Bob Faust](#), owner of Poole's Sunoco, contradicted Gomb's time of pick-up of Oct. 31<sup>st</sup>, by saying that tire had sat outside the station for only a couple of hours on Oct. 29<sup>th</sup> when state police officer Gomb picked the tire up. (Transcript Page 518: "I believe it was the 29<sup>th</sup>. I am almost certain.")*

*"During the trial, Hubbard's attorney Patrick Fierro pointed out that Ertel stated all the casts were taken on October 28 and the morning of October 29<sup>th</sup>.*

*"According to Pennsylvania State Police Cpl. Donald Houser, evidence custodian, all casts and tires that he received from Trooper Joseph Keppick were transported to [Officer Leon E. Krebs](#) at the State Police crime lab in Harrisburg on Nov. 11, 1973.*

*"Yet, under cross examination by Mr. Fierro, Krebs said he received two tires on Nov. 1 and two more on Nov 5!*

*"It was during this time lapse from Nov. 1-5 that the state police had Hubbard's car in the borough Hall.*

*"On Nov. 1 during the evening hours, Trooper Gomb and South Williamsport Police Chief Smith returned Hubbard's car, which then sat at Poole's service station (between) Nov. 7-16, 1973..."*

Again, how is it possible for a tire that wasn't even on my car until Oct. 29<sup>th</sup> to be in a cast print on that lane in Sylvan Dell as evidence that my car had dumped the body there on the 19<sup>th</sup>? There is only one way: the Pennsylvania State police manufactured evidence.

Obviously, activities of the Pennsylvania State Police did not sit well with Capt. Ross and maybe that's the reason why he made his statement to the two reporters from the Weekender. (They both signed affidavits as to what Capt. Ross said. See [Document 55](#).)

Remember Faust, owner of Poole's service station testified in court that on Oct. 29 he himself took the old tire off and put the new tire on (page 517).

John Claybaugh, a neighbor who lived across the street from the Hubbards, even

signed an affidavit stating he saw the man from Poole's service station repairing the tire on the 29<sup>th</sup> ([Document 56](#)).

Everything the district attorney did relied on confusion. It was so confusing that the Pennsylvania State Police, Dr. Miller and Dr. Catherman got confused themselves!

That's why I decided to put all the transcripts on this website so you yourself can read and analyze what they said, bearing witness to the mistakes they made.

If you print these pictures out and place them side by side for comparison, you'll find it helpful with **Photos 27 and 33**, which are of tire casts.

As you can see, there is writing on these pictures. Read it closely and compare it to the transcripts. My father and investigators sat for hours looking at these photos and this is what they found.

Please look at the upper right-hand corner of Photo 33. This is **Exhibit 9**. Look closely. It's one big mud print. Now look at Photo 27 entered as **Exhibit 21**. You see the two casts of prints on the ground. These two cast prints are supposed to be sitting on top of this single mud print you see in Photo 33! **According to transcript**, this is not possible.

How is it in Photo 27 there is **no mud evident between these casts**?

[Trooper Keppick](#) according to transcripts, testified to pouring all tire casts. Keppick identifies prints and their location on the lane during direct examination by Ertel. He will also identify casts poured on the prints (page 442).

*Q: First, can you describe where these tire tracks were, Officer Keppick?*

*A: They were approximately 27 feet from Sylvan Dell Road on the lane leading to where the body was found.*

*Q: Did you also photograph those particular tire prints prior to the time that you made the casts?*

*A: Yes.*

*Q: I show you marked as Commonwealth's Exhibit No. 9 (our photo 33). Can you identify that?*

*A: Yes, Sir.*

*Q: What is it?*

*A: It is a photograph of a tire track.*

*Q: Is that one you made?*

*A: Yes.*

*Q: Is it the tire print you were talking about which were approximately 26 or 29 from Sylvan Dell Road?*

*A: Yes.*

*Q: I show you marked as Commonwealths Exhibit No. 10 (Photo 32). Can you identify that, please?*

*A: It is a photograph of another tire track.*

*Q: And again, where was that located, approximately?*

*A: That would have been located across, approximately the same distance from the road.*

Q: You mean in the opposite road where the tire tracks would be?

A: Yes.

Q: I show you marked as Commonwealth's Exhibit No. 21 (Photo 27). Can you identify that?

A: Yes, sir, this was a photograph of the two plaster of Paris tire tracks..."

Okay, you just read Keppick's testimony. Look at Photo 27 which is Commonwealth's Exhibit No. 21. It clearly shows these two casts poured in the mud print that he just said were on the "**opposite road**" of the lane. The assumption here is that Ertel meant "opposite side of the road" since Keppick indicated it was "across." More confusion for an already confused jury?

***They're touching each other!***

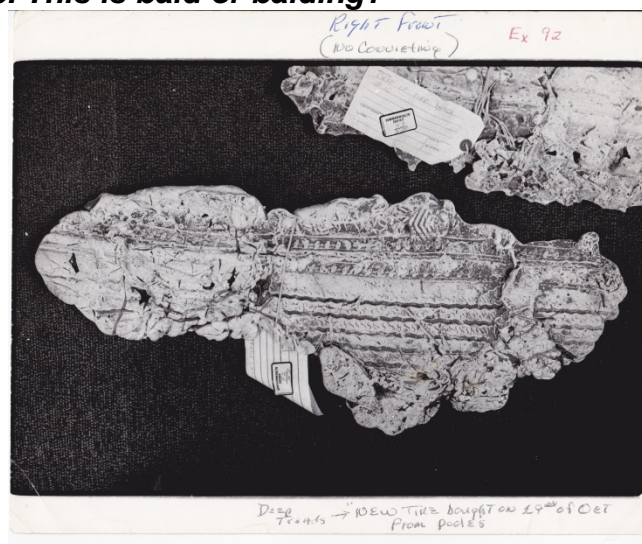
**One thing to consider is that the jury did not see the photos as they are being described— maybe later. But you did!**

I believe the whole time Ertel is talking to Trooper Keppick they both are play-acting. The prosecutor and his witness know these pictures don't match. They're not stupid. They know exactly what these pictures are. Their game plan was simply to deceive and confuse the jury, and they did a good job of it. Ertel, using this tactic, kept the jury off balance whenever physical evidence was introduced.

*But, he can't make a fool out of you, because you can see the pictures!*

Obviously these photos are fake! You already know this mud print is a fake. How? Look at the left side of the mud print in Photo 33. You see the deep tread? You can almost count all five treads on this tire. This is the tire that was purchased on the 29<sup>th</sup> from Poole's service station.

***It wasn't even on my car on October 19! All tires on my car bald or balding? Check out Photo 25. This is bald or balding?***



**Figure 17: Photo 25**



Please look at Photo 29 and Photo 32. Photo 32 is the mud print on the lane. Photo 29 is **supposed to be the plaster of Paris that was poured on top of it!** Examine the two pictures closely. Can there be more treads in the cast than in the print from which it was taken? Remember the jury never got a chance to see what you are seeing.

**Conclusion: If you look closely, these photos do not match each other.**

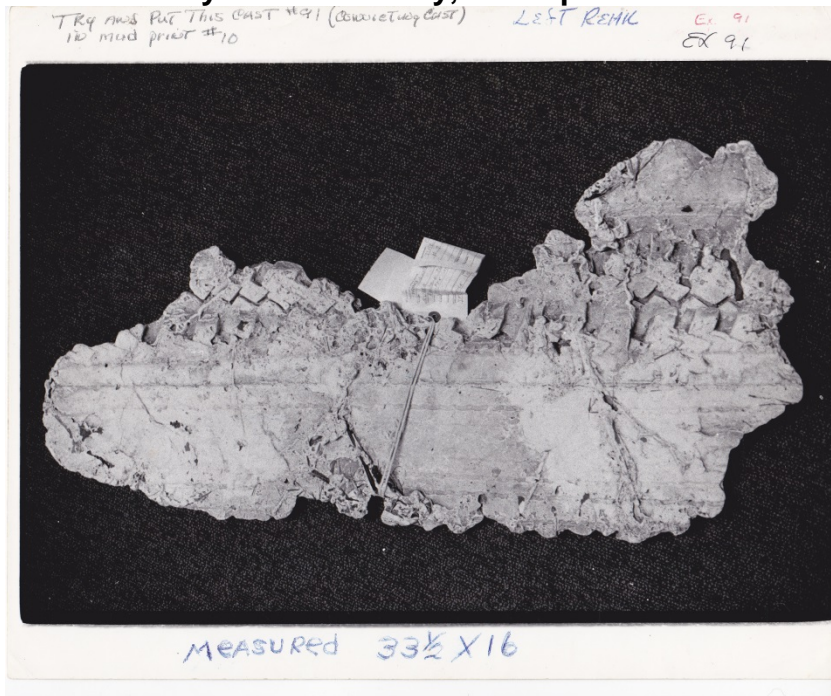


Figure 18: Photo 29



Figure 19: Photo 32

Note: To make things easier, I have inserted my father's notes ([Documents 45-53](#)). They explain everything about the tires on my car using trial transcripts. These are detailed comparisons and if you can hang in there, you are sure to find them extremely interesting—and disturbing. We're sticking to the basics here, keeping it as simple as we can, but we've included documents and photos for more careful scrutiny.

Now that I have you looking at Photo 27, look even closer. See what the cast is actually lying on? Look at the grass in the mud around these two casts (*supposedly made in the cornfield lane*). Now, look at Photo 13. Look at the clear white plastic crumpled or spread on the lane. Look closely at its texture. Now look at Photo 27. Does that look like the clear white plastic on the lane, or does that look like a dark-colored tarp?

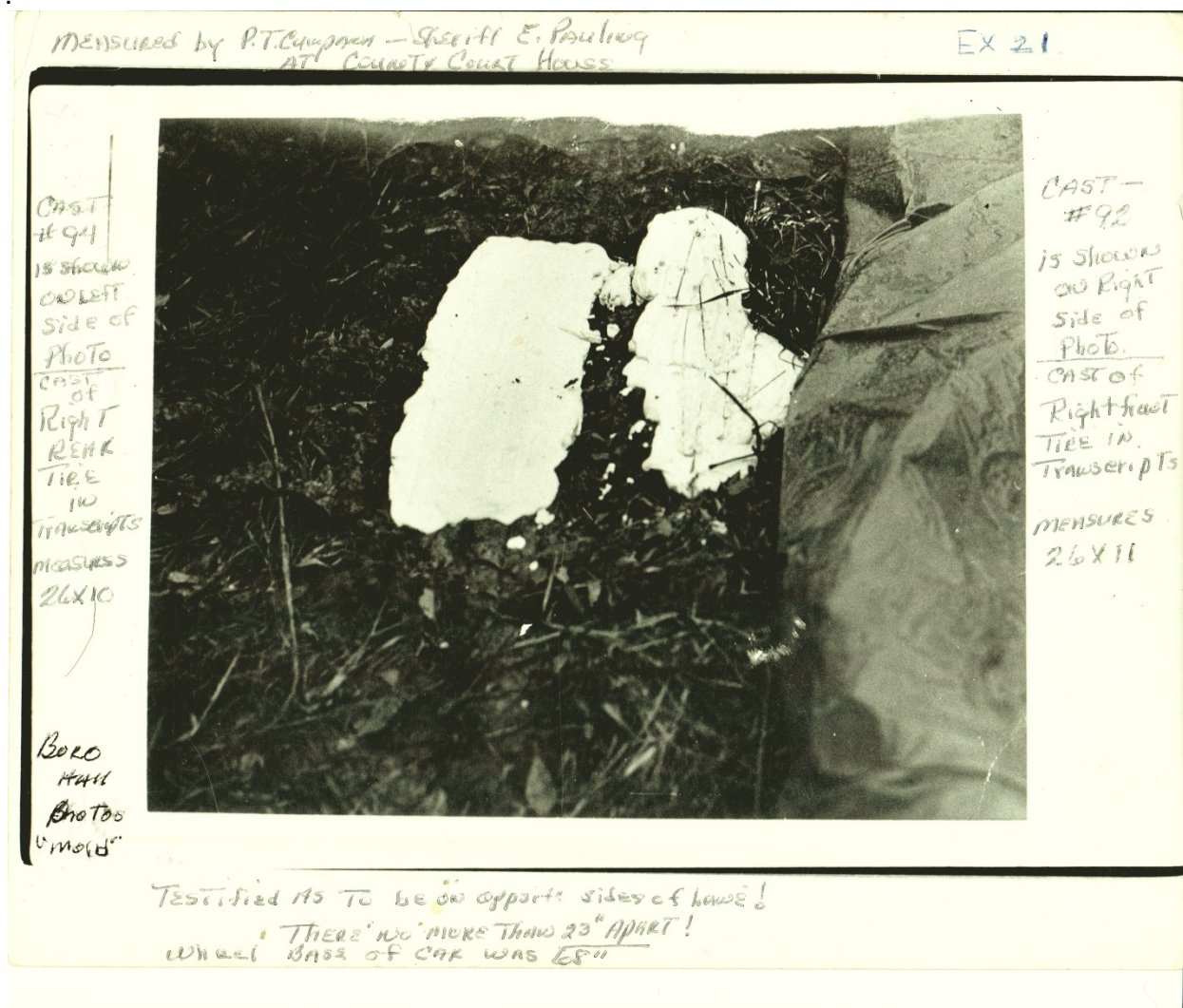


Figure 20: Photo 27

Look at the cast in Photo 27. Note the mud print coming into the top of the cast and the mud print going out the bottom of the cast. Go back to Photo 13 and the plastic on



the lane taken the morning after. (*The Nov. 4, 1973, written on the photo refers to the date this photo was published in the weekly Grit, which was the Sunday following the so-called discovery of the body.*) Look to the right of the clear white plastic on the lane. This is where this cast was supposed to be poured. Look carefully and try to fit Photo 27 in all that grass— anywhere!



**Figure 21: Photo 13**

To me it all goes to prove one thing: there were no casts made on this lane. Seeing— one luxury the jury didn't enjoy— is believing. Remember, Photo 13 was taken on the 29<sup>th</sup>, the next day, a Monday morning after the casts were already made. Furthermore, according to the Pennsylvania State Police all casts on the lane were poured between the 26- and 29- foot distance from Sylvan Dell Road. That's only a three-foot wide band in close proximity to the plastic as you see it on the lane. Blow this photo up and you see can damn near see every weed, stick and dead leaf on this lane all around the plastic.

Return to Photo 32 and examine the ground cover upon which the cast with its



deep tread sits and try to put this picture on either side of that clear plastic. Look at Photo 33. The grass is literally peeking out from the edges this cast. It kind of looks like the grass in your backyard—not heavy ground cover and weeds like on the lane in Photo 13.



Figure 22: Photo 33

I ask again. **Where were these photos taken?** In transcripts, according to Trooper Keppick's testimony, these pictures were taken when he first arrived on the scene on the 28<sup>th</sup>, shortly after 4:15. Remember, he said he took pictures before he made the casts. So why, after no rain for nine days, are these mud prints in Photos 32 and 33 wet in the middle? The grass and vegetation in Photos 33 and 32 show do indication of moisture.

Here is something else to think about. Jennifer Hill's body was found at 4 p.m. by Dwayne Gleckner. Gleckner then calls Major Hunsinger who comes to the field and confirms Gleckner's discovery. Hunsinger then calls Chief Charles Smith of the South Williamsport Police Department. Smith informs the state police. What are we talking

about here? Fifteen minutes before state police are summoned?

I do not know where Officer Keppick was when he received word that Jennifer Hill's body was found, but it seems fair, if not generous, to give him at least 15 minutes to get to the scene, get all his gear together, including photographic equipment, and cautiously approach the body scene.

**Here's the kicker. It started pouring rain at 4:30.**

*That means, **in 15 minutes, or less**, Trooper Keppick accomplished all of the following at the field before the downpour:*

- 1. Took all pictures of body in the field!*
- 2. Took all pictures of footprints in the field!*
- 3. Made all foot casts in the field!*
- 4. Took all photos of tire casts on the lane before it rained.*

**Really?**

I believe when Officer Keppick got to the field, most of **what he said he did had already been done**. We already know there are at least two scenes in the field. The proof is in the photos! According to one witness, the state police were pouring plaster of Paris into puddles of water and surface water was running off that field lane! I don't believe any tire casts were made in the Sylvan Dell cornfield lane. Certainly not when they said they did, though they hurriedly set up paraphernalia, including plastic sheeting and buckets, to make it look good. Photos 11 and 13, taken of the lane the morning after the declared discovery, reflect this.

Additionally, because evidence Photos 3 through 7, even Photo 8, show no signs of rain, this tells me they weren't taken on the 28<sup>th</sup> either. As for Photos 1 and 2, remember these were likely taken when the body was actually found, within 36 hours after her death, to accommodate the testimony of Gleckner and Hunsinger.

So when were they made? I don't know, but there seem to be a lot of activity on the this little out-of-the-way cornfield lane between the 19<sup>th</sup> and the 28<sup>th</sup> as you'll see in affidavits ([Documents 86, 87 and 88](#)).

**So where were the casts made?**

Were any tire impressions made in the South Williamsport borough garage as Public Defender Jack Felix, who took over my defense after Fierro, would later challenge? In a motion for a new trial based on newly discovered evidence, his contention was that there was "a transferring of certain tires by the state police and the making of additional tire casts after the defendant's car was impounded."

*Ertel, as noted earlier, responded that "such an allegation is not only irresponsible but reckless."*

**Really? Let's see how reckless and irresponsible it was.**

We're going to examine photos of my car in the borough hall, remembering that it was the **Pennsylvania State Police themselves who took these photos!**

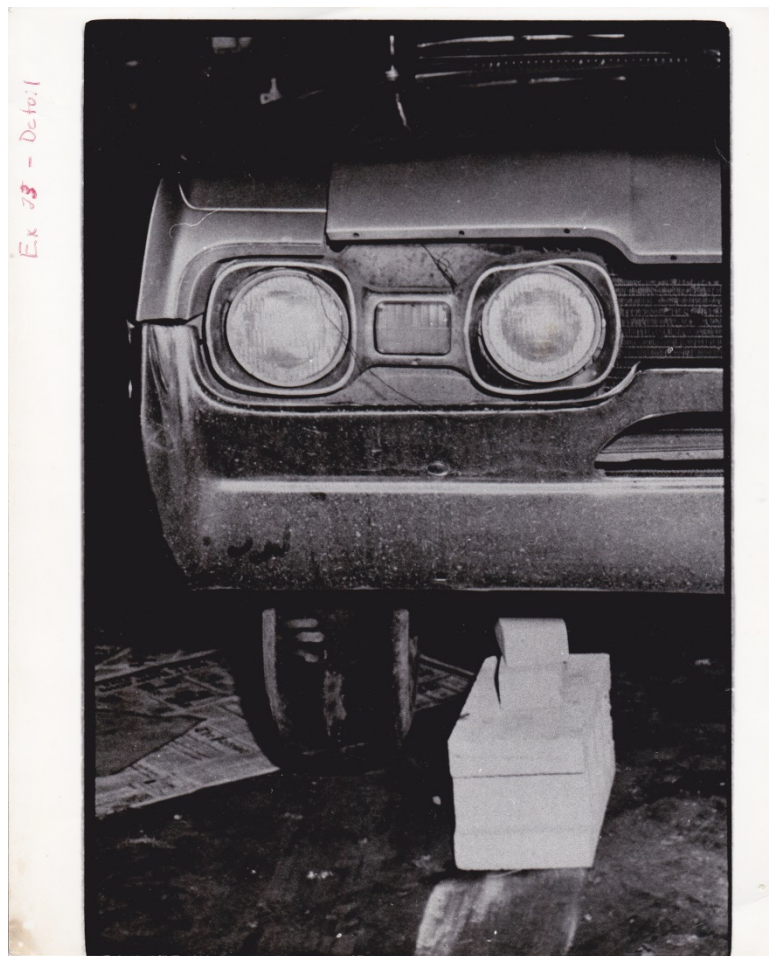
This reminds me of the story of the little boy is in the kitchen after his mother just baked chocolate chip cookies. The mother walks out for a few moments and upon returning notices some cookies are missing. She looks down at the little boy and asks, "Did you eat some of the cookies?" Looking up with puppy dog eyes he smiles innocently and says, "No, mommy, I didn't eat any cookies."

The evidence shows otherwise. He has chocolate on his hands, face and shirt. Mommy just smiles.

It appears we caught the Pennsylvania State Police with their hands in the cookie jar, and they were apparently able to walk away with just a denial of innocence. Had the little boy in my story followed Ertel's lead, he might have accused his mother of being "irresponsible and reckless" for her accusation as he wiped the chocolate from his face.

I'll leave it up to you to decide whether the Pennsylvania State Police manufactured casts in the borough garage.

Please look at Photo 40. I think these photos speak for themselves. I know you were never supposed to see these pictures either.



**Figure 23: Photo 40, front right tire**



Now look at Photo 41. Look at the left front tire (right as you face it) caked in a white substance. Why do we know **they made a cast of this tire**? It is Photo 25—the one that was never on my car until the 29th! Did you ever see deeper treads on a bald tire?



Figure 24: Photo 41

**Let's review what we have just seen.**

*Now, in your opinion, does it look like they are guilty of manufacturing tire casts in the borough Hall in South Williamsport? Please look at affidavit (Document 89).*

I don't know what else I could possibly say or prove to you, especially when you consider that **it's the state's own evidence photos that give them away!**

Now, please look at Photo 26. This is for the people who do this for a living. How do you explain this photo, supposedly made by a moving tire—my tire—driving on the lane to or from the 127-foot mark? It was pulled from very wet and deep mud conveniently deposited there, compliments of the phantom bulldozer.



Figure 25: Photo 26

How is it possible for a moving tire to leave **an incriminating “ELD?”** (wording on the sidewall “Kelly Springfield” tire). That’s right, the sidewall of a tire! It seems impossible doesn’t? However, if you pull a tire, stick it in the plaster with no movement, you could get a clean imprint of these letters. (This is more thoroughly explained in the “King Interview”)

## BODY PHOTOS AND CASTS: STRATEGIC CONFUSION?

A courtroom is a great place for a classic shell game— moving the evidence around until nobody on the jury is sure under which shell it lies. In the following pages Dr. Miller is describing and identifying Photos 1 through 8 (body photos), 11-16 (field photos) and Photo 64 (Exhibit 20) which depicts **six plaster of Paris casts** (Casts 50-55), all in that one scene, said to have been freshly poured in ground at the 127-foot mark and 15 feet off the farm lane on the early evening of Oct. 28, 1973.

1. The doctor first identifies Photos 1-8. (body photos)
2. He identifies Photos 11-16, along with 64 (footprints and casts)
3. He speaks briefly of casts and relates them with the pictures showing a rule in them.
4. He explains the cast scene in Exhibit 20 (Photo 64).
5. Next he is going to demonstrate the situation to the jury on the floor of the courtroom. He uses Photos 5, 16, and Casts 50, 51, 52, 53 and 55 which are foot casts. He completely eliminates cast 54 (foot casts).

*Note: The reason for his only using two photos and four casts in the above paragraph was to deceive the jury, enabling him to shift the casts around in order to get Cast 51 (a pair of heel prints) under the victim’s buttocks.*

A careful review of the following account of Dr. Miller’s testimony will verify elements of the deception.

**Please remember everything that Dr. Miller is now describing is at 127 feet where the body was put back into the field. We’ll concentrate on the inconsistencies in their own testimony.**

## BODY PHOTOS TELL A TALE

### Dr. Miller’s Testimony: Altering, Excluding and Fabricating

Photos showing Jennifer Hill’s body in the field and its locations and position are described by the coroner, [Dr. Earl R. Miller](#), on pages 240 -243. As it turned out, Miller did a yeoman’s job for the prosecution, providing not only medical information and information related to the body, but he was the one doing the measurements at the body scene, overseeing the crime scene photos and providing key testimony on the location and position of the body. **This is far from protocol for a county coroner in Pennsylvania**, where it is an elective office often filled by non-physicians.



Miller, who was a practicing physician with direct access to the morgue at Williamsport Hospital, was probably more qualified than most to examine bodies, but he called in a forensic pathologist from Philadelphia, Dr. Robert L. Catherman, a former Williamsport resident, to perform the autopsy and author the postmortem report.

Obviously Ertel trusted Miller to provide critical information to the jury, and it probably didn't hurt that the Lycoming County Coroner's Office at the time was right next to that of the district attorney in the county courthouse. Yet, with all those state police and their evidentiary specialties, it is Miller who serves as the crime scene supervisor.

There are many discrepancies in the photos Miller identified and described— some of which would seem to require the expertise of a criminologist instead of a physician. These errors and omissions should become obvious to you as you read the transcripts. My purpose here is to draw your attention to a couple of major discrepancies, perhaps outright lies or conscious efforts to deceive.

Please look at Photos 7 and 8. Print these photos and lay them side-by-side for a clearer understanding.

In Photo 7 you'll see the corn stalk under the left shoulder and across the left side of Jennifer's face. Looking closer you'll see Jennifer's shoulder is elevated. This is clearly stated on page 242 of transcripts with Miller commenting that the stalk is "holding the shoulder up off the ground." Now, look at Photo 8.5. Look closely. Where's the corn stalk on the left side of Jennifer's face? You should be able to see it. It's not there! That's Miller's hand holding or covering a stalk that seems to be next to the right shoulder. The reason the corn stalk is not where it was is because Photo 8.5 is a second scene picture —127 feet up the lane!

Photo 7, according to transcript, is a first scene photo within the first seven or eight corn rows running east and west along with Sylvan Dell Road. And yet these photos were supposed to be taken within minutes of each other!

What you just saw was relatively easy to comprehend, simply because you had advantages over the jurors in my trial. You had someone explain it to you and the luxury of evaluating the photos for yourself.

The preceding has never been in any newspapers or addressed publicly. What you're about to see now is more complicated. You'll see the county coroner trying to cover up his mistakes. That begs the question: what is Dr. Miller trying to hide?

When Jennifer's body was initially discovered (within 36 hours of disappearing) she was **secretly taken out of the cornfield** and, evidence indicates, transported to Williamsport Hospital where her body could be examined and preserved. As far as the public was concerned, she was still a missing person and I firmly believe at the time they had no physical evidence pointing to her killer. Her body was disrobed and her stomach pumped for contents important in determining time of death. This is also when they must have put the embalmer's dental tie — the one you can see in Photo 8—in Jennifer's mouth.

**When they returned the body to the field, they got sloppy.** There were mistakes in the way they dressed her. Rings were on the wrong hand, earring in the wrong ear

and they forgot to take the dental tie out of Jennifer's mouth—the biggest mistake of all. They merely snipped it, allowing her mouth to open in more natural expression of death. The tell-tale remnant of the dental tie may have been a small thing, but it looms quite large upon closer examination and modern technology allowing us to easily enlarge the photo.

Here is Miller, questioned by Ertel, describing Photos 7 and 8.5 starting on page 260. He starts with **Photo 7**.

*Q: Do you know that to be a fair representation of what you saw on that day?*

*A: Yes, sir. The other point, if I may add, shows the left ear without an ear ring.*

*(It seems funny to me that someone would just voluntarily add information.)*

**Photo 8.5** shows the head from the right side and you can see there is an earring in the right ear. It also shows Dr. Miller's hand pulling back the cornstalk or its leaves to provide a clearer view.

Take a good look at Photo 8.5. Dr. Miller may have got away with his description to the jury, but we're not the jury!

**I will now prove to you Dr. Miller was lying, and I will do it using state's own evidence!**

Did Dr. Miller belatedly realize he made mistakes in describing the photos? Maybe Ertel brought it to his attention, but, upon review, it was too late to do anything without destroying the credibility of previous testimony. In my view what the coroner and the D.A. did to hide their mistakes was pretty ingenious.

They simply **inverted the photo**, known as flipping the image. What's right is left and what's left is right. The bottom line is, it's wrong.

Then in testimony, Dr. Miller covered his mistakes by describing the inverted image. What Dr. Miller and the D.A. didn't count on was (and this is what foiled their imperfect cover-up) the possibility that there was actually someone who would end up with all the pictures, a copy of the postmortem report and complete set of transcripts in his possession.

That was my father. **Even then, armed with valuable new evidence and clear proof of prosecutorial misconduct, the appeals system stymied attempts at securing a new trial and a chance to be exonerated.**

Before we get started discussing inverted Photo 8.5, note that the postmortem report is six pages long and represented page by page in scanned Documents 70 through 75. Remember the public has never seen the postmortem report or medical records. I've talked to a number of lawyers and they've never heard of these critical documents being excluded as evidence in a murder trial. I suppose that if some of the key elements of their case, including how long that body was in the field, were disputed by the facts, it makes sense that they wouldn't want them on record.

Let's take another look at Photo 8.5...

The first thing I see wrong with this photo is **the embalmer's dental tie is on the wrong side of Jennifer's mouth**. Dental ties, I'm told, are inserted in the left side of the mouth of the deceased, and it appears that was the case here.

The second thing I see wrong with this photo is, **the mucus draining from the corner of Jennifer's mouth along the cheek is on the wrong side.** The postmortem report reads, "just beneath the nostrils and in the right corner of the mouth, along the right side of the mouth where moist brown watery to mucoid fluid is draining, are clumps of fly eggs " ([Document 71](#), fifth paragraph, seventh sentence). Also, to add more credence to my point, please look at Photo 10. This is Jennifer's body in the morgue at Williamsport Hospital. Look at the left side of Jennifer's mouth and her teeth. Nothing there. This photo confirms the mucus is draining on the right side, as stated in the postmortem report.

The third thing I see wrong with this photo is, the corn stalk Dr. Miller has his hand on, is on the wrong side of Jennifer's head! Please look at Photo 67, which shows six casts allegedly taken at the body scene after the body was moved— Casts 50, 51, 52, 53, 54 and 55. Look at Cast 54. On the left of Cast 54 (right facing) is the cornstalk, now just a root cut close to the ground, we saw in Photo 8 that was supposed to be located at the left side of Jennifer's head. It is circled.

Carefully examine Cast 50, the furthest left in Photo 67. At the top of Cast 50, as you'll see by blowing it up on your computer, are the roots of two cornstalks above each side of this cast. They are also circled. This requires close scrutiny. Now look at Photo 6 and Jennifer's right shoulder. These are the two cornstalks circled at the top of cast 50 in Photo 67.

In Photo 4, Jennifer's shoulder is lifted off the ground by the cornstalk underneath. The root of this cornstalk is the third circle to the right of Cast 50 in Photo 67. That's the one under her shoulder in Photo 4. This is a second scene photo clearly showing her body across the row instead of lateral and between as Gleckner testified. This is clearly described by Dr. Miller on page 276 of transcripts: "The right shoulder is raised slightly above the ground..."

Wandering through the coroner's descriptions of these casts in relation to the body pages 273-277 (And again, why is he providing this testimony?), it makes you wonder how many times they had to pose the body to get it all to come out right. **By this time, the jury must have given up trying to understand what was where.**

Let's look at Photo 8 again. **This scene fits state's own evidence.** Right is right and left is left. The mucus is draining is on the correct side of the mouth. The embalmer's dental tie is where it should be and the corn stalk is on the correct side of her head. Now we've got Photo 8 fitting the state's "fake" evidence scene, a.k.a. the second scene, and casts poured there depicted in Photo 64.

Here is one more point in the inverted photo and how it ultimately betrays the lame scenario set up in the Ertel-Miller courtroom show. Please look at the left side of Jennifer's neck in Photo 7. It is exposed. In Photo 8.5, Miller's cover-up picture, look at the right side of Jennifer's neck, it is exposed, it shouldn't be, the left side should be exposed. Just more evidence that **Photo 8.5 was inverted and Photo 8 is correct.**

There are many things wrong and confusing in the photos, but that's the way the prosecution wanted it to be. The more confusing, the better. No one had a chance to focus and understand what they were really being shown. If you, as a juror, don't understand it, you might assume the "expert" providing the testimony does.



That is one of the many reasons I did 10 years of my life in prison.

Even now, you the reader, just finished looking at Photos 8, 8.5 and 6 and you probably missed something quite dramatic. You may sense something was not quite right in Photo 6. But, again, you might never put your finger on it unless someone explained it to you. Look at Jennifer's right shoulder. Look at the cornstalk (there are three of them next to and under her shoulder, not next to her face). Look at Jennifer's left shoulder. See the cornstalks that shoot up on the opposite side by her left shoulder? Look at the right shoulder and the cornstalks her shoulder is resting on. Mentally draw a line straight across Jennifer's body to the cornstalks on her left side to where you think that cornstalk touches the ground, better yet, do it with a straight edge.

If you can't tell there, look at Photo 5, which shows the discrepancy better. Look at Jennifer's left arm and the cornstalk by her left elbow (not next to her head). Put your straight edge at the bottom of the cornstalk and run it up to Jennifer's right shoulder above her right breast to where you think the cornstalk is that's is holding up her left shoulder up.

**Take a good look at the picture, you can see for yourself it's a completely different scene.**

Jennifer's head is actually halfway into the next corn row. That can only mean that Photos 3, 4, 5, and 6 are of a different scene than Photo 8. Want more proof? Look at Photo 7. Try to find the cornstalk shown in Photo 67 that is elevating Jennifer's left shoulder.

This all takes focus and analysis. I understand that, and it has taken many hours of intense scrutiny by my father and others to try to make sense of it all.

***Yet there are still things we can only guess at when it comes to how and why they did what they did to chalk up a conviction and let the real killer get away with it.***

**Let's review:**

Photos 4 and 6 clearly show cornstalks under and next to Jennifer's right shoulder but not next to her face.

Photo 5 clearly shows a cornstalk next to Jennifer's left arm but not next to her face. Again, photos 3, 4, 5 and 6 are a different scene or at a different place in the field from Photo 8, which the state proves with its own evidence.

Everything we just discussed about Photo 8 can be verified by looking at Photo 64, which is state's evidence scene (Cast Scene) 20.

Again, please look at photo 67, another version of Photo 64, and Cast 50 specifically. At the top of Cast 50 there are three cornstalk roots circled. To the left and right on top are two. Then to the right of Cast 50 you can see another one. Photo 4 will verify this.

Now look to the right of Cast 54. That is the cornstalk you see, supposedly, in Photo 8 on the left side of Jennifer's face. Again, **state's own evidence proves what I'm saying is absolutely 100 percent true.**

*What you have just read, and what I've just explained to you, I understand may be*

*hard to believe and absorb. It is hard to believe that a Pennsylvania prosecutor, the Pennsylvania State Police, and a county coroner could ever do something so outrageous, but it happened in Lycoming County. They did it to me.*

*Some of it seems too obvious to believe and some requires closer examination, but ultimately it's plainly there in the evidence presented against me by the Commonwealth of Pennsylvania.*

*I learned a long time ago, that if I were to try to actually explain this to people without showing the visual evidence, they would think I was crazy. I might have easily served my time and gone to my grave never understanding what they did to me. I know for a fact that Allen Ertel never knew all this evidence still existed, waiting to expose him for what he did in the Commonwealth vs. Kim Lee Hubbard and, hopefully, exonerate me.*

Both my mother and father are gone now. Their house was broken into on several occasions, and things have been taken that pertain to the evidence that you are now looking at. But there is just so much there— a mountain of their own evidence that should bury them if we ever get the chance to use it.

***So it has come to this— after all the appeals, newspaper articles and investigations. If I never have my day in court— which would be as much for my father and all those who stood by him— I like to think that the proof lives on here for all those who want to take the time to look at it.***

I know there are professionals in various fields who can do a more thorough job explaining this. I understand this takes some serious resources—the kind I do not have— to make sure that justice is truly served as I make this public on the 40<sup>th</sup> anniversary of Jennifer Hill's death. I also doubt whether many people really even care anymore. I hope someday, someone will help me expose the people involved in my case, and make sure that it doesn't happen again.

*The perpetrators were supposed to be there to serve and protect, but they served only their own purposes and protected their own interests. For most of them, their time has passed and they can do no harm. I say it is never too late to right a wrong.*

This is why all trial transcripts, all evidence photos, medical records and affidavits of some of the witnesses to this injustice are on this website. I state my opinions here, but you don't have to take my word for anything. You can look at it and read it for yourself.

When reading the postmortem report, you will see where my father made notes. Read them closely. They make sense. My father, supporters, various attorneys, journalists and others spent years figuring out what these people did. They did a remarkable job. I owe this to them, not myself.

## **CASTING DOUBT ON FOOTPRINTS**

*If I walk into a field and leave behind the prints of my shoes, we all know, having*

*watched crime dramas over the years, that they can pour plaster into the depressions left there, make casts and then compare them to my shoes. If there are enough points of comparison, they can say, fairly conclusively, that someone wore my shoes in that field.*

*Conversely, if someone confiscates my shoes “for evidence” and then makes casts after the fact, it only proves they have casts of my shoes. Bear that in mind when we deal with the inconsistencies in this particular area, raising doubts as to when and where the casts were made. The credibility of the tire evidence has already been dispelled, and this brings us to the only other evidence used against me that is not regarded as circumstantial. Again, all I can do is show you their inconsistencies and things that don’t make sense. You decide if their evidence has merit, if they ultimately met the burden of proof.*

Dr. Miller, assisted by Trooper Keppick, took measurements of footprints (pages 243-263) to explain location of casts in relation to a stick (never retained as evidence) that was under Jennifer’s body (Photo 64, Commonwealth Exhibit 20).

In the courtroom he is asked to identify Photos 1-8 of the body in the field. After Photos 1-8 were taken, he testified (page 243) that the cornstalks were cut away from the body “in an advancing distance from the body.”

There is also a photo of him measuring an apparent print before the body was allegedly moved. This is Photo 60 (Exhibit 11), where Miller says he is measuring a print “lateral to the body at the level of the knee.” This was a missing photo in previous testimony by Miller, which was introduced when he returned to the stand the next day.

Before describing the photo, the coroner made an interesting, if somewhat contradictory, comment about this photo not being included in previous testimony: “There was not one taken at the time. I recalled there had been one taken.”

After the body was moved and the corn cut away, there is a “readily identifiable footprint” next to where the body had been (page 245) and a cast was poured into this indentation. This is Cast 50 in Photo 64, which is closest to the top left corner of this cast scene photo. If that print was lateral to the right shoulder, you would be looking toward the head of the body from the feet and the large Y-shaped Cast 51 in the lower center would have been taken from two footprints directly beneath the buttocks of the body.

**There are no casts poured in the area below the buttocks** and, other than Casts 51 and 53, the latter identified as left of the abdomen, all the others are shoulder level or higher in relation to the body.

### **The body is still there...**

The body is still lying “as found” when Dr. Miller allegedly measures a print with a ruler (Photo 60, Commonwealth Exhibit 11), pointing out, for the record, that it is his hand we see in the photo. It is not surprising, considering sloppy body scene descriptions throughout, that Miller goes on to describe a photo where “the ruler is against the body” in page 245 testimony.

“This is not the picture I was looking for,” he informs Ertel when he first sees the



photo and, indeed, there is no photo in evidence that shows the ruler up against the body. The next day they produce the missing photo, which also shows the left knee and shin next to a ruler, but the end of the ruler is clearly several inches from the body. So the next day, the old No. 11 becomes the new No. 11 (our Photo 60) and that's admitted into evidence.

In essence, he testifies about two photos with his hand and a ruler in them, but only one is part of the evidence on the record. Miller's descriptions of two different photos, though apparently similar, on pages 245 and 254 just means more confusion for jurors trying to get their bearings.

Bear in mind that he is measuring a print, into which, inexplicably, a cast is never poured based on the locations of casts in Photo 64.

**Cast 50, the one lateral to the right shoulder, is poured BEFORE the body is moved,** according to the coroner and converted crime scene technician.

There may be a contradiction over two days of testimony in Miller's description of the soil where the casts were poured, saying the surface "was quite granular in opposition to fine powder" one day (page 245) and "comparatively soft" (page 286) on another. I suppose it is possible to be both—just as it is possible for a road to be a lane. But which is the definitive description of the soil where they allegedly poured casts that were critical to their case.

### **The body is there and then it is gone...**

So the body is there in page 254 testimony describing Exhibit 11 (our Photo 60) with the hand and the ruler. Then Miller is shown another photo identified as Exhibit 12 (Photo 61) without the body showing a fairly well defined footprint near "a freshly poured cast" and being measured from a stick said to have been under the body. This is supposedly "at the right shoulder level of the body," which, he explained, "has been removed."

Note that the freshly poured cast is Cast 50 in the upper left of Photo 64, poured before the body was moved. Envision the body on its back with feet extending toward the bottom of the photo, and that Cast 50 is just lateral of where the right shoulder had been. The stick across the cast scene (Photo 64) was beneath the body and just under the shoulder blades based on the juxtaposition of these casts as described in testimony.

The stick in Photo 61 is used by Miller as a point of reference for measurements and locations of imprints under and around the body—after the body has been moved! Page 255 in transcript tells of a ruler measuring an imprint that is "next to and over the stick." This would be Cast 54 in Photo 64, a footprint.

Stay with me. Commonwealth Exhibit 14 (Photo 62), according to Miller, depicts him measuring an area with vegetation similar to that where Cast 50 was poured "level and outside the right shoulder." (Page 255) Therefore, Photo 62, Commonwealth Exhibit 14, is now localized with the cast scene, with Miller observing that the vegetation was similar.

### ***What's wrong with this picture?***

Take a closer look at Photo 62. **Where is Jennifer's body? It wasn't moved until the cast was poured.** Cast 50, the so-called footprint lateral to her right shoulder, was

poured before the body was moved. Cast 52, “immediately at the end of the stick,” was allegedly poured into that print being measured in Photo 62.

**If the body isn’t there, the cast should be.** And, as you can see in Commonwealth’s Exhibit 20 (Photo 64), the cast scene, these two casts are literally touching.

This picture, in my opinion, is just plain stupid. What do I mean? Look at photo 64 and the proximity of Casts 50 and 52— **the former poured before the body was moved and the latter after.** Why? Because the print captured by Cast 52 was partially under the upper right arm or shoulder and couldn’t be poured until the body was moved. Using Photo 64 for perspective, if Dr. Miller is supposed to be measuring from the top down in that photo, his forearm should be above poured Cast 50. If he is measuring from below, Cast 50, or a portion of it, should be immediately to the left of the ruler.

**There has to be a cast or a body— one or the other!**

Take a second and think about this picture. Talk about visual evidence! See the toe of the shoe at the bottom center of Photo 62? Say hello to Trooper Keppick, if we are to believe Miller’s crime scene testimony, because he was taking the photos. Or maybe it was someone else? Maybe it was somewhere else? And, after all of this, they are still ahead of that 4:30 p.m. deluge.

Bottom line? **This is a second scene picture. Jennifer’s body was not found here.** Dr. Miller and Trooper Keppick had all the time they needed and **they were just acting out to trick the jury with fabricated evidence.**

If there is only one scene, why does Dr. Miller continue to refer to the “original scene” throughout his testimony? What other kind of scene would it be— unless there was another one!

Look at the entire left of Photo 62 and the distinctive weeds and ground cover. Anything like that in Photos 4 and 6 where you can see lateral to Jennifer’s right shoulder and upper arm? **It’s not there!** Level and lateral to the right shoulder is where Cast 50 is supposed to have been made. What is there? Cornstalks! Even Photo 61, which shows the ground next to Cast 50, shows nothing resembling the so-called similar vegetation Miller said he was pointing out.

While you’re looking at Photo 64 and Cast 50, check out Cast 52 immediately to the right. Take your time! Now, look at Photo 62. There, to the right of Dr. Miller’s hand, you should be able to see another footprint. Blow the photo up on your computer. Do you see a footprint— anything at all? I don’t.

***Sleight-of-hand relies on distraction and deception, but if you don’t look the other way, you might not be fooled.***

It seems I could go on forever pointing out discrepancies and blunders in these photos and testimony. So, with that in mind, I offer one more in this segment of the Commonwealth’s case before moving on.

Go back to Photo 62. Look at the tape measure Dr. Miller has in his hand. If the one-inch mark is on the top of Cast 50, something is wrong. Look at his hand. Right

above his thumb is the number nine. Go right straight across to the right for five inches, according to his tape measure, and you will see a cornstalk that has been cut off. It's not supposed to be there. **There is no way Cast 52 even fits in this picture.** Also, in Photo 61, do you see the tape measure? Look at the eight-inch mark. This is where the cut-off cornstalk is in Photo 62. This is something you can easily see.

*By this time, thanks to confusion and deception, the jury really had no chance of figuring it out. They put their faith in the system and a naïve belief I, the defendant, must have committed the crime. Why else would they arrest me? Good question. My family and I believed in the system, too— until it was too late. We were naïve and trusting and, until the autumn of 1973, we believed in the criminal justice system.*

*Ten years in prison teaches you not to trust anyone and, to this day, I make it a point of seldom being alone— just in case someone is looking for an ex-con without an alibi to pin an unsolved crime on.*

So, with that in mind...

Please, take your time and look at the photos you have seen. You are not the jury, but you have something they didn't four decades ago. **It took them a grand total of three hours between leaving the courtroom and returning with a verdict.** Is that enough time to take a critical look at the evidence, analyzing photos, casts and testimony, in a murder trial?

You have time to take a good look and make up your own mind!

Some things I've brought up may not seem important, and you may disagree with my interpretation, but there is no way I received a fair trial.

**Remember, the body was not moved in Exhibit 11 (Photo 60)!**

Then they orient Photo 63 with Photo 60. The latter is the only evidentiary photo showing anyone measuring what may be prints from any part of the body (knee/lower leg)— and, by the way, there were no casts in evidence of any prints below the double prints (Y-shaped cast) allegedly found under the buttocks. Then they go about using a stick and other devices to make you believe you are actually looking at the spot in the field where the real murderer dumped the body. That has already been disproved.

They should have been doing all this about 100 feet closer to Sylvan Dell Road.

Okay, what is Dr. Miller talking about here? Go to Photo 60 depicting Dr. Miller with ruler in hand. Follow the ruler straight across to Jennifer's body come down one inch. You see the four little clots of dirt with the little piece of grass at the end next to Jennifer's leg? Now check out Photo 63. Look at the one-inch mark on the ruler. Go measure about three inches to the right, based to his ruler, and you'll see those same four pieces of dirt and the little piece of grass that was next to her leg.

I'm assuming Dr. Miller is measuring some kind of heel print here. If the body were still there, and it is a heel print, based on his own measurements, it is under Jennifer's left leg between the top of her calf and her kneecap. Again, no cast of any print from that part of the body scene, so the only point here is to reinforce the impression in the jurors' minds that they had just moved the body and were measuring impressions at the scene.



In the article reporting the finding of Jennifer Hill's body in the Oct. 29<sup>th</sup> issue of the *Williamsport Sun-Gazette*, which reported periods of heavy rain, interspersed with a constant drizzle into the early morning of Oct. 29, Miller is reported as saying that "plaster casts were taken of various depressions in the mud." I would state that "depressions" is the key word. Obviously, some person or persons put the body there, but they couldn't have prints from my boots or sneakers, which were not taken from my home by Lt. Steven Hynick and Sgt. Edward Peterson until Oct. 31<sup>st</sup>.

**Like the tire that wasn't put on my car until after the body was found (both times), they seem to be able gather evidence that cannot actually be there.**

And then we have Photo 61, "taken for orientation," according to Miller, showing his ruler touching the end of the stick and "inside the original cast," an imprint he said that was "partially obscured by the victim while the victim was lying on the ground and at the right side of the victim (page 257). That was "oriented" to Cast 52 in the Photo 64 cast scene (Exhibit 20). He also mentions "plastic material" in the top left corner of Photo 61, noting that it was there because "it had started to rain."

**Note that in all these descriptions and testimony there is no mention or indication of any prints under or close to Jennifer's buttocks!**

*There was a witness other than Miller, Ertel and designated law enforcement personnel, who had an intimate look at activities the field between the time the body was reported found and when they moved the body from the scene. That witness was **Steve McCune**, who was one of two people (the other being James Shaler) from the Charles M. Noll Funeral Home, who picked up the body and later embalmed it. His analysis of the condition of the body, which is shared on this website, was also quite revealing.*

*McCune was interviewed by Wes Skillings, a reporter for the conservative Grit weekly newspaper in Williamsport, who wrote a series of articles published in September, 1977—the first to air the many discrepancies in the case. Revelations in the McCune interview were never published, because it occurred more than a year after the final installment in the Grit series as Skillings continued to gather more information about the case and follow leads. He moved from the Williamsport area in 1979 to become editor of The Daily Review newspaper in Towanda, PA. McCune also pursued other career opportunities elsewhere and was a manager of a funeral home in Wilkes-Barre when he was interviewed.*

*Here are some of McCune's observations, as shared by Skillings, as to what he saw at the field, including activities on the lane and around the body, when he arrived there in the pouring rain after being called in by state police around 6 p.m.:*

*—they used a body bag to pick up the body, which was still unmoved when they arrived a few minutes after six;*

*—it was raining very hard as they proceeded up the lane where he noticed police "trying to pour casts," though he could see they were having problems because of the rain and because "the ground was so wet;"*

*— there was plastic in the lane, 85 to 90 feet up the lane from Sylvan Dell Road, he*

*estimated, and about 45 feet short of the body scene;*

*—around the body itself, which still hadn't been moved despite wet conditions for some time, there was a lot of mud and he remembers having to walk on a plank to keep out of the mud. (Shaler in a brief letter dated March 23, 1974, also described the ground as muddy and that it had been raining since "late afternoon.");*

*—there were no casts he could see at the body scene and the body was still there, supposedly as it had been found. He remembers Ertel cautioning them repeatedly not to slide or drag the body in the mud when they moved it;*

*—he did observe them taking photos around the body, and that there was plastic on top of the body. Again, he saw no casts— even though Miller said Cast 50 was poured before the body was moved;*

*—When it came time to move the body, purportedly to take photos of prints underneath, they just rolled the body over toward the south. It definitely was not moved east through the corn as stated in testimony at that time, he said;*

*—the body was still so close to where they were taking photos of the ground that McCune said "you've have to see the body in those pictures;"*

*—he was positive there was no coat with the body, and he did not see any stick that was supposed to be under the body. In fact, he said a stick under a body for nine days would leave marks on the skin of the back, and there were no such marks. Note: Shaler said that when they moved the body from the scene there was "a piece of plastic underneath her" and they "transferred her to our pouch (body bag)," and*

*— they took the body to Williamsport Hospital and left it on a morgue table, according to McCune, and that it was so warm in there that they had to bring in an air conditioner to cool it off.*

***Steve McCune may have been the only objective observer to what occurred around the body and on the lane the evening of Oct. 28, 1973, and it seems in startling contrast, at times, to the body scene that Miller described in his testimony.***

### **Bringing the field to the courtroom...**

Returning to the body scene as created by the prosecution, we know Cast 50 was poured outside and lateral to the right shoulder while the body was there (page 263), and, somehow, footprints measured near her knee before and after the body was allegedly moved were not casted.

"It became apparent that there were other prints which we would be able to make impressions of with plaster of Paris after the body was moved," Miller testifies (page 264).

**Really, Dr. Miller? Where's the proof? Where are the photos of the prints that were so pronounced under her body? We know you don't have prints, simply because the body was not found 127 feet up the lane!**

Next, Dr. Miller tells us on page 264 the decision was not to do anything more with the body, keeping it as originally found, until a forensic pathologist come in and examined the body. The body was subsequently removed from the scene, with state

troopers picking it up and moving it ***“immediately to the east through the same row of corn.”*** (Something McCune says never happened that evening.)

Yes, now we’re back to where the body was originally found in the first six or seven rows of corn running east and west the same way as Sylvan Dell Road.

**After all of this maneuvering to set up a second scene, we’re back to the first—and original— scene.**

*Was there no evidence to process at the original scene? With the public unaware for well over a week that the body had been found, were they hoping the killer would return and try to move the body to a more remote location? Obviously, I would be the last to know why they did what they did, but I can only guess at this point.*

“We went back, Trooper Keppick and myself, and he prepared the plaster of Paris and he poured it into the imprints on the ground,” Miller testifies on page 265. “We completed this through a total of **six imprints**, one of which is **actually a casting of two imprints.**”

So those crucial prints they say were under the buttocks were only mentioned in passing. No photos and no ruler— just that prominent Cast 51 in the cast scene (Photo 64).

So now we rely on the cast scene, along with Photo 5 showing what appears to be a footprint near the lower back, but not quite under the body, to carry the burden of convincing the jury of the validity of the crime scene. This, by the Commonwealth’s own admission, was merely a disposal site and they could only speculate on where and why she was killed. Stay tuned, and I’ll give you a more valid, if less dramatic, narrative of where and how she likely died.

### **Now we’re in the courtroom...**

*The juggling of casts and prints to convince the jury of my guilt was often described as a circus by my late father, who could only watch hopelessly as it unfolded before him during nine days of trial in the latter half of February of 1974. He couldn’t quite figure out what was going on either. Most of the acts in a circus require skill and deftness, but the act they put on proved to be far from that. Sadly for me, my family and the interests of justice, it achieved its desired result.*

Let’s look at the key components of their evidence from the field, which are highlighted in Commonwealth Exhibit 20, captured in Photo 64. As previously noted, you can visualize the position of the body, on its back with feet toward you as you look at the photo. Cast 50, outside and lateral to the right shoulder, and the Y-shaped Cast 51 under the buttocks help in this visualization. If the feet are pointing toward the lane, you would be looking down at the body with the lane just behind you.

**Cast 50** —The first of the casts made, according to Miller, is next to the right shoulder and poured before the body is moved. It is variously described as being partially under the right shoulder, “outside and lateral to the right shoulder” and “at the right shoulder level of the body.”



**Cast 51** —The one with two imprints at the lower part of the cast scene described on page 266 as “...underneath buttocks... has deepest heel print of all that we acquired, and another heel print going... in a slightly diagonal angle to it. These heel prints we did not see until after the body was moved.” Apparently they had time to pour the cast for these prints but not to take a photo of “the deepest heel print of all.”

*Note: In Photo 61, Trooper Keppick takes a photo of a print AFTER THE BODY IS MOVED, which becomes Cast 52. Ditto in Photo 63. Why didn't he shoot the prints, apparently the most defined and deepest, that they identify as belonging to Cast 51?*

**So even though Cast 51 sits within inches from and between prints depicted in Photos 61 and 63, they do not bother to show us the prints, notably the most defined, allegedly under the buttocks—the one my father would call the “convicting cast.” It is an omission that is difficult to explain.**

You cannot see it in Photo 5 because it is supposedly directly under buttocks.

**Cast 52**— Miller describes it on page 266 as “the cast which was immediately at the end of the stick ...under the right arm, and we made the cast after the body was removed, or moved.”

When using Photo 5 as a reference for this casted print, he says on page 275 that “this is the right arm of the victim. Subsequently, the body was picked up and removed in that direction in a linear manner and this then was casted.”

**Cast 53**— this is “at the lower level of the stick” in Photo 64 and “immediately to the left under the left lower abdomen,” Miller testifies on pages 266-267. Later in testimony (page 276) he describes it as being above the stick, “slightly separated” from Cast 55, which clearly applies to Cast 54, according to the cast scene, so maybe he is starting to confuse himself.

**Cast 54**— Miller on page 267 describes that as “the extension of a print above, immediately above the stick which was to the left of the body.” There is no indication of where this is “extending” from in Photo 64. It appears to be sitting alone.

**Cast 55**—This is uppermost cast in the cast scene, we’re told.

Returning to Cast 52, Miller probably says on page 275 more than he should when he states: “This is the **right arm** of the victim. Subsequently, the body was picked up and **removed in that direction in a linear manner** and this then was casted.”

### **What did Dr. Miller just say?**

Believe it or not, you are among the first ever to read and grasp that Miller has just told you, in his own words, **how they took the body out of the field from the second scene!**

Please look again at Photo 5. You see Jennifer lying across the corn rows, making it a second scene photo. Her head is pointed towards the east. Her feet are toward the west. Remember the direction of corn rows in Photo 15, where Ertel marked the “X” and

wrote "Body." The rows of corn are running north and south there.

**So, if the body was 'picked up and moved in "that direction in a linear manner" from the victim's right arm, or the same direction as the right arm, he's saying the troopers picked her up and traveled north down the corn rows toward Sylvan Dell Road! That's the direction the rows run at 127 feet.**

Remember Miller already testified on page 264: "At this stage of the game, with myself watching the footprints, making sure that the Troopers who were being used to pick up the body and remove it immediately to the east through the same rows of corn, my job at that time was to safeguard that no Trooper stepped anywhere near in this vicinity..." He then says he and Trooper Keppick proceeded to pour the six plaster of Paris casts shown in Exhibit 20 (Photo 64). He apparently forgot that they poured Cast 50 BEFORE the body was moved, but who can keep track of this shell game anymore?

**"East through the same row of corn," by the way, describes the direction of the rows parallel to Sylvan Dell Road where Gleckner found the body seven or eight corn rows running east and west.**

Not only does there seem to be confusion over which scene was which in Miller's own descriptions, a distinction that would have been lost on the jurors anyway, but it sometimes seems as if photos of prints and casts were taken at a different place and time. Think of the stick, seen so prominently in Photos 5 and 64, and how no such stick was seen by a person who handled the body there and later performed the embalming.

And where were the marks on the lower back that should have been left by such a stick?

Why was the stick not retained as evidence?

Where's the rain?

Where's the mud?

Steve McCune, remember, said he was there when they first moved the body and they initially just rolled it over to the south (toward you as you look at Photo 5). And the coat that is so prominent in Photo 5? He said it wasn't with the body, and he and Shaler are the ones who ultimately removed it from the scene.

**Another statement by Dr. Miller that doesn't make sense can be seen at the bottom of page 245:**

*"...immediately around the body there were impressions which would make you think they were footprints...."*

What is Dr. Miller trying to say here? Is he trying to hide something? I think he is! You know he is.

Please look at Photo 6. Here you see Jennifer's body. Look at her right hip. Come down one inch and go to the left one inch. Take a closer look, there between the cornstalk leaves that form an upside-down V.

***This is clearly a perfect heel print. Is this one of the things that Dr. Miller is trying hide?***

As you look at this heel print, you'll notice it is facing toward Jennifer's body at a slight angle, which means the toes or the front part of the footprint is actually under

Jennifer's body— but not under the buttocks where they cast those deep prints!

Whose footprint is it? It has to belong to someone who put Jennifer's body back in the field the second time! This is one "impression" they definitely wouldn't want in evidence.

### ***A leap in logic from lane to body?***

According to Dr. Miller the "nearest footprint" to the edge of the lane was 15 feet away and was underneath Jennifer's buttocks. "Approximately 15 feet, at the body," says Miller on page 283.

We have prints, indentation and impressions around and under the body, or so Dr. Miller tells us, but nothing resembling a footprint leading from the lane to the body or from the body in any other direction? What Dr. Miller is saying is the only footprints that were found, were found either under Jennifer's body or a matter of inches away.

Does that make sense to you?

**How did Jennifer's body get 15 feet off the lane into the field where the chief cover between and around the cornstalks was dirt with nary a print to show for it?**

And then you have the combined weight of the body and the person who is carrying it. Nothing that could have been drag marks was identified, so it stands to reason the body was carried. Did the killer carefully smooth out marks in the dirt and then leave multiple prints in the immediate body scene?

I say she was carried there— to this **second scene**— and the carriers were most likely the state police.

If you look at Photo 1 or 2 you can see the edge of the lane and its matted vegetation no more than three or four feet from the feet of the body. Remember, Dwayne Gleckner, the man who found the body, tells us just that (page 224): "Three or four feet, I would say, off the side of the road." Louis Hunsinger, the CAP Major who confirms the find, confirms the distance off the lane, too, under cross examination (page 238) as "just about three or four feet."

This is the first scene— the original scene— and, looking at Photo 2, you can almost see how someone, carrying the body over a shoulder, let's say, could carefully lay the body there without leaving prints behind in the small patch of dirt nearby.

***It keeps coming back to the two body scenes: the original, where the body was found much earlier but with no observable evidence to go by; and the second scene, where the physical evidence could be manufactured and manipulated.***

### **Miller puts their best footprints forward...**

Let's look more closely at those deep heel prints found under the buttocks, especially inconsistencies pertaining to defining characteristics, distance from the lane and type of soil where the prints were cast:

- Dr. Miller testifies on page 276: "The prints, if you turn over the casts, you will see the round part of the heel is pointing towards the head or east."
- "We took measurements of identification on the ground wherever we found them,"



he tells the jury on page 277. “When the body was moved, and we found the prints which this has made a cast of...” After confirming that this is Cast 51, he explains that “there are two prints under there, particularly one of them is very distinct, was sharply outlined and was the deeper imbedded into the ground than the other prints. We paid particular attention to (Casts) 51 and 52 (right shoulder?) because of the definition of these imprints at that time....”

*Note: Trooper Leon Krebs, assigned to the state police crime lab with expertise in tool markings, including tire and footprints, discounts Cast 52 — along with 50, 53, 54 and 55— on pages 555 and 559 as failing to meet the detail criteria to positively identify the print.*

**It comes down to that one heel print in Cast 51 that they say has enough characteristics to match one of my boots— boots they had in possession within 72 hours after allegedly discovering the body on Oct. 28<sup>th</sup>.**

- And yet, Miller keeps trying to establish in the minds of the jury that more than one of the prints were definitive: “In the cast, in the biggest cast, there are two very good footprints,” he says on page 280, referring to Cast 51.

- He reaffirms that distance of 15 feet off the lane on page 282, again referring to Cast 51: “I am estimating **the body was in there approximately 15 feet**, and the footprint was right around the immediate vicinity of the body.”

- There seem to be various opinions about the kind of soil between the lane and the body, with Miller contradicting himself and state police:

—On page 286, he describes the ground as “comparatively soft” at the casting scene around the body (Photo 67) where the six footprints casts were poured. Yet in earlier testimony (page 245)—the previous day, in fact— he observed that “the ground was quite granular.”

- There were other comments related to prints where he seemed to be trying to say the evidence at the scene indicted that I, as their designated killer, was walking backwards and set the body down on a pair of heel prints— one of which had the only definitive characteristics they could match to one of my boots:

—“We had impressions of the sole of the foot which were ill defined,” he notes on page 295 when Fierro asks if he had factual proof showing the toes of prints that would indicate direction. Miller, when pressed if he could tell by any of the footprints which way they were pointed, eventually states, “I don’t know.” And yet I have shown you clear prints in other photos, including one pointing toward the body and the print by the lower leg that seem to contradict his testimony.

—**None of these ended up being casted, which begs the question, “Why?”**

- Miller offers testimony about the **dark blue sports jacket**— an old letterman-type school jacket— that was on the body in the field as it appeared in Photos 4-7. This was reportedly the jacket that she either carried over an arm or tied around her waist when last seen on her walk toward home on Oct. 19<sup>th</sup>. McCune, who witnessed the body in the field before and after it was moved was certain he saw no coat or jacket with the body. He did recall plastic over the body as the rain came down, which was never alluded to by Miller or state police who testified.

- Miller testifies on page 308 about the jacket as it appeared in Photos 4-7, which is

shown covering the body from the upper chest down in Photo 4 and then supposedly “turned down” with the lining facing up in the other photos, which he said he did “to demonstrate the position of the hand in the sleeve.” Later, in that same line of testimony, Miller said he did not examine or disturb the clothing and that he did not remove any clothing because he wanted the forensic pathologist (Dr. Robert Catherman) “to have the benefit of seeing as it was first there,” or as originally found. He did, under cross-examination, admit to moving the jacket but did not explain the relevance of showing the hand in the sleeve.

- Miller says he did not disrobe the body (page 312) so that clothing would be intact for Dr. Catherman when he performed the autopsy later at the Williamsport Hospital, where it was transferred from the field by Steve McCune and James Shaler, escorted by a state policeman. However, Dr. Catherman, in his postmortem report (Document 71), does not mention this jacket as being among the items of clothing with the body, confirming McCune’s observation. Curiously, the jersey she was wearing with the white numeral 33, consistently said to be blue, is described by Catherman as gold with white stripes.

### **How they got to the body...**

Dr. Earl Miller, the Lycoming County Coroner, responds to the scene where the body of Jennifer Hill and says photographs were taken (page 240) before he went down the lane in a southerly direction: “I parked my car on the right side of the (Sylvan Dell) road (facing east) and was shown a little path, wagon-type path, into a cornfield. I was instructed to walk down the center of the trail, staying out of the bare spots.”

So the state trooper has taken photographs at the body scene and Miller starts up the lane, which he calls a “wagon-type path,” from the edge of the two-lane road. This is how he describes that approach on page 243: “After Trooper Keppick took the original Pictures, No. 1 and No. 2, I proceeded to the south, in a south direction out of a distance of approximately 20 to 30 feet and entered the cornfield and make a circular path to come into the body from the head end, which is demonstrated by (Photo) No. 7.” (This accurately places the body where it was originally found in the first eight corn rows running east and west the same way as to Sylvan Dell Road. Consult Photo 15 to confirm the direction of the corn rows off the lane and next to Sylvan Dell Road.)

**Remember that casts around the body were allegedly poured at the 127-foot mark and 15 feet off the lane. Miller didn’t get that far.**

## **‘EYEWITNESS’ STRAINS CREDIBILITY, COMMON SENSE**

Betty Nevel lived on S. Howard Street in South Williamsport, which, for the record, was within 100 yards of the same distance from the Hubbard house as Jack and Norma Hill’s house at 353 Hastings Street. Her house on Howard Street was, by her own estimate, a block and a half off West Central Avenue.

To end up there, Jennifer would have had to turn right off West Central about three blocks short of reaching her home. To get there from where she was seen by Mendez at

the corner on Market Street, she would have had to backtrack two blocks to Howard Street and continue for a block and a half. The measured distance between the Hills and the Nevel's is about 525 yards.

Mrs. Nevel testified, in court, that while sitting and watching TV with her 11-year-old daughter, Beth, she noticed a young girl walking up the sidewalk. She asked her daughter who it was and her daughter supposedly replied, "Jenny Hill." Betty Nevel then testified that she saw a man in a light green metallic car drive up and gesture to Jennifer with his hand to get into the car. Mrs. Nevel then stated that the girl went around the back of the car and got in the passenger side of the car and they drove away.

Betty Nevel's testimony is no different than anything else you've read about this case. Again, there are major mistakes made by the Pennsylvania State Police, District Attorney Ertel and Mrs. Nevel herself. *(Her testimony is on 163-211)*

First of all, let me begin by saying that Betty Nevel is a liar! Instead of giving her the reward money for helping the police, they should have given her a polygraph test if they were really interested in the truth. I believe Nevel did read the newspaper and responded to an article where state police were desperately seeking someone who saw Jennifer Hill on the afternoon of Oct. 19<sup>th</sup>. I also believe that Betty Nevel may have willingly aided and abetted framing me for murder.

**Read on and make up your own mind.**

*South Williamsport is a small town where everybody knows everybody. The possibility police, confounded by a murder and seeking the public's assistance in getting a dangerous killer off the streets— someone who preys on children— might convince some to go beyond the call of duty. I'll probably never know who said what to whom or fears that may have been exploited, but I'll try to explain why I think it is possible yet another person might have been willing to lie to help Allen Ertel get his conviction.*

Betty Nevel describes a light green metallic car— a car she was shown at the borough garage, likely as shown parked there in Photo 43— with a "1, 9 or 7" as the first number of the Pennsylvania license plate. She also describes a white helmet in the back window ledge.

**Here's the first problem. There is no way Betty Nevel could have seen my car come up the street, stopping in the street in front of her house, and not see the damage on the front of it!**

Check out Photo 44 and tell me what you'd notice first about this car.

*If Betty Nevel could tell the difference between a man's hand and a woman's hand in the driver's window, there is no way she could have missed the badly damaged front left fender. I was never in front of her house that day, so I am the one person who can say conclusively that she was lying. I just can't say for sure why.*

Betty Nevel said Lt. Hynick of the state police and Capt. Ross of the South Williamsport Police Department took her to the borough hall in South Williamsport to identify my car. When she looked at my car from this angle as it was parked there



(Photo 43), which fits when you analyze her testimony, she wouldn't have seen the damage to my car.

That's why in testimony she was confused and could not identify my car (page 188) ***"because of the damage, I didn't notice the damage."***

Maybe the state police did not take the time to show Betty Nevel my entire car. She certainly had a vivid memory of the white helmet, which, by the way, wasn't in my car on Oct. 19<sup>th</sup>. It was in the car when it was confiscated on Oct. 31.

In Pennsylvania, the process to bind a case over for trial requires a preliminary hearing in which a District Justice (now known as a Magisterial District Judge) rules whether the state has presented sufficient evidence to proceed with prosecuting the case in a county Court of Common Pleas. There was reportedly no transcript of the preliminary hearing on my case, which is unusual, to say the least, though there was a court stenographer speaking into a recording device.

My attorney, Patrick Fierro, would challenge Mrs. Nevel at the trial because she went from being uncertainty about the car in the preliminary hearing to positively identifying it at trial.

Following is Fierro's line of questioning (page 188) about her previous uncertainty about whether the car she was mine:

*Q: And you answered them (police), you said, "I cannot say it was and I cannot say it wasn't?"*

*A: "Yes, because of the damage, I didn't notice the damage..."*

And later (pages 189-190)...

*Q: Madam, didn't you tell the police that you could not say whether that was the car or whether it was not?*

*(This answer is interrupted with Ertel objecting to Fierro badgering the witness, a give-and-take between the two attorneys and, ultimately, Judge Charles F. Greevy overruling Ertel's objection.)*

*A: I didn't say it was and I didn't say it wasn't.*

Someone blew it here, whether it was Mrs. Nevel or poor preparation by Ertel, but if she would have testified on the witness stand about the damage on the left front of my car, it would have been almost impossible to ever dispute what she said.

**Suspicious about her testimony were aroused because of what she didn't see.**

What the Pennsylvania State Police and Ertel did not know at the time was the helmet you see in Photo 43 at the borough garage was put on the back window ledge by Trooper Alfred Gomb when they were searching my car for evidence after they took it on Oct. 31.

**That helmet was never issued to me until I started working at Stroehmann's Bakery on October 24, 1973.**

That's right! The state police assumed that the helmet was in my car on the 19<sup>th</sup>, but it was not! Therefore, when they showed my car to Betty Nevel in the borough hall

sometime around October 31st it became part of her description of something she couldn't have seen on October 19th. (The helmet even had jelly on it from the bakery, where I took pastries out of the ovens.)

Here is Fierro questioning Betty Nevel on page 191:

*Q: He said to you, Mrs. Nevel, this white helmet, did you see this on the ledge of the car that picked up Jenny on October 19? That is what he asks you?*

*A: Yes, I saw it on October 19.*

*Q: And you said, yes. That the car you saw pick up Jennifer on October 19 had a white helmet on the ledge, isn't that what you said?*

*A: Yes.*

**This should prove 100 percent that Betty Nevel lied!**

On page 153, Lt. Hynick is asked, "Did you bother to find out where or when Kim Hubbard got this white helmet?"

*A: No, sir, I didn't.*

*Q: Do you know if anybody did?*

*A: Not to my knowledge.*

Again, all this proves is the state police and Ertel didn't care about the truth, but they got sloppy. It proves, however, that their star witness, Betty Nevel, lied about what she said she saw on Oct. 19, 1973. She was testifying about what she saw later in the borough garage.

**Sloppy police work and overconfidence should have blown their case against me wide open, but they found a way to put the white helmet back on their game board.**

*Now, when Ertel realized the helmet wasn't in my car on that critical day, this is what he did to try to save face. He knew he was in trouble. He had to prove there was a helmet in my car because his star witness said she saw it!*

Ertel had to find someone to say there was a white helmet in my car. What he did was go back seven months prior to the murder, to March 13, 1973. At that time I worked at a place called Eastern Wood Products in Williamsport, where they *made wood pallets*. I only worked there for three weeks and I remember receiving just one paycheck during my brief employment.

Ertel subpoenaed a person by the name of Clair J. Kiper. This man was described as a foreman at the plant. I don't remember him at all. According to testimony (page 1108), Kiper said he issued me a helmet (the "same type of helmet" as the one in my car) when I started working there on second shift. As far as this man issuing me a helmet, I was never issued a helmet, nor did I ever sign for a helmet. I only remember three people on second shift, including myself, and none of us wore helmets. My job there was sweeping floors and cleaning up wood chips.

*I'm guessing the man said he issued me a helmet simply to cover his butt, but, again, I can't say for sure why he offered this testimony. I do know that, miraculously, it saved the credibility of Mrs. Nevel as a witness.*

The day I quit, I remember dropping off a co-worker named Dave Kinney. I gave him a ride once in a while because he didn't own a car that worked. I walked inside that day after dropping him off and I couldn't find a supervisor to tell that I wasn't going to work there anymore. At that time, the business didn't seem all that organized, and, as I noted, I really didn't know who was in charge.

According to transcripts Ertel subpoenaed several people trying to get somebody to say they saw my helmet in my car. One of these people was Dave Kinney. Their handling of the white helmet issue and use of Kinney to save their flimsy case is a perfect example of how to make an ass out of yourself in a courtroom. I wish to state for the record that Dave Kinney and I were not friends. We were acquaintances who worked at the same place for a brief period of time.

I will give you an example from Dave Kinney's testimony on pages 1113-1118.

Let's start when Ertel asks him (page 1116) the following in direct examination: "Did you ever have a conversation with Kim about white helmets?"

"No," Kinney responded

Then he contradicts himself on page 1117 when Judge Greevy allows him to answer the following question after Fierro objects that Ertel is leading the witness: "Did anyone else have a conversation with Kim about white helmets?"

Kinney's answer?

"He **told me that he was told** about having too many helmets."

If he is "anyone else," then just who is he?

When asked by Fierro (page 1117) if he was ever in my car "like in August or September or October last year?" Kinney responded, "Yes", and that he had seen at least one white helmet, though he could not say for sure if there was more than one.

This is not true, I'll state for the record, and Dave Kinney was never in my car in the months mentioned. As I said, we were not friends.

Here's the bottom line, and it comes down to what Dave Kinney did say on page 1115 when questioned by Ertel, who was trying to convince the jury that I took a white helmet with me:

*Q: Did he take anything when he left?*

**A: No.**

Prior to that question, Ertel had asked Kinney if he was with me or was there when I left that day. Kinney had stated that "we were just working and he decided to quit."

As if he had not made it clear enough that I did not walk out with a helmet or any other item, here is what he said when cross-examined by Fierro (page 1117):

*Q: Well, what you do know the day he left the job, you say he took nothing with him?*

**A: Right.**

*Q: Is that correct?*

**A: Right.**

*Q: That means he didn't even take a helmet, is that correct?*

**A: Right.**



**Dave Kinney's testimony speaks for itself. I think he knew it was important to say he had seen a white helmet in my car, but he may not have been properly briefed on the importance of saying he had seen me take a helmet with me. I don't think Ertel would have asked him the question otherwise. I even know that a good lawyer doesn't ask his own witness a question he doesn't know the answer to.**

*Note: My three weeks at Eastern Wood Products occurred in the month of March (page 1108), which is the only time Kinney rode in my car. Ertel wanted to establish him as a passenger in my car in the minds of the jury, and then he leapfrogs ahead five to seven months to get him to say he saw one or more white helmets there. Apparently Kinney never saw a white helmet in my car when he rode to work with me in March, and he seemed quite positive that I didn't take a helmet with me when I quit.*

Allen Ertel even had Dave Shellman, a friend of Dave Kinney, say he saw a helmet in my car on the floor sometime the previous summer, possibly in July (page 1119). I guess they didn't have to go too far to find this guy, who worked for a finance company, because both his sister and mother testified for the prosecution (pages 724-727) earlier about some letters I'd written to my girlfriend at the time. The letters, written at the urging of my attorney while I was incarcerated in the county jail, emphasized the importance of her backing up my alibi and remembering what we did during the time frame of the murder. The only connection between this individual and me was that his sister, Susan, was a friend of my girlfriend.

Ertel tried to bully a lot of my friends into saying there was a helmet in my car. He was desperate. But to make a long story short, **Allen Ertel never produced a helmet from Eastern Wood** and the reason why he didn't was simple. **There never was one!**

Ertel even tried to insinuate that the jelly on my helmet was some kind of red wax used at Eastern Wood. He knew it was jelly. That's why he never had it analyzed.

### **Surprise! Eyewitness was hypnotized!**

Here's something else you may find interesting. Something like a year and a half after the trial, we learned that **Betty Nevel was "hypnotized to assist her recollection,"** as he clarified for my attorney in a letter we later found in Fierro's files ([Document 90](#)). The letter was sent and signed by Ertel, with a copy to the County Prothonotary (court record keeper), and dated Jan. 28, 1974, which would have been some two weeks before my trial. The individual who performed the hypnosis was Dr. Larue Pepperman, a Williamsport area MD, who hypnotized Betty Nevel to help refresh her memory of what she saw that day.

But according to Ertel, because I was only a suspect at the time he didn't feel that I had the right to even know about this. I'm not a lawyer so I don't know.

If you read [Document 90](#), you'll see that it was brief, promising no suggestion was implanted in Mrs. Nevel's recollections, with Ertel assuring Fierro that *"only very small portions of her testimony were recalled through hypnosis."*

Ertel generously offers to "make the doctor who hypnotized her" available to Fierro, which, I believe, is required when this procedure is used on prosecution witnesses. Ertel was only protecting his own butt, nothing more.

**Most remarkable was that, not only didn't Fierro take advantage of this information to at least impugn Mrs. Nevel's credibility, but he never told me or my family members. Had he tossed that letter from his case files after we switched to another attorney, we would never have known.**

I do know that back in the seventies they were more accepting of this kind of testimony and regarded it as a memory aid device. In the early 1980's, this kind of testimony was accepted more selectively to ensure it was **not tainted by "suggestion and coercion."** Guidelines were applied for hypnotism of prosecution witnesses, and among them were:

- using a psychiatrist or psychologist trained and experienced in hypnosis;
- pre-hypnosis memories of events in question should be "carefully recorded and preserved" as a comparison of what was remembered prior to and after the hypnosis.

The person performing the hypnosis was an MD, whose training and experience were unknown, and we'll probably never know what Betty Nevel remembered BEFORE she was hypnotized. I do know, based on research, that different states have different [statutes](#) regarding what they call forensic hypnosis for trial testimony and that it is permitted in federal courts. It is permitted, according to the Department of Justice's Criminal Resource Manual (Title 9), providing that **"the hypnosis affects only the credibility of the witness** and not the witness's competency or the admissibility of his or her testimony."

*So you wonder, if my defense had been able to use this information, whether the jury would have found the state's key eyewitness as credible. Like I said, I'm not a lawyer so I don't know.*

*One thing I do know, I was not in front of Betty Nevel's house on Oct. 19, 1973.*

So what really happened in that hypnotism session? I can understand that the memory of a car with a white helmet in the back window might be falsely influenced by what she was shown at the borough garage, but **how is it possible to be hypnotized into remembering something that never happened?**

Were suggestions implanted in Betty Nevel's memory? Who knows? We certainly can't go by Allen Ertel's word.

If you read her testimony you will definitely get the feeling something is odd about this woman's phrasing. Take, for example, on page 169, when Ertel asks his star witness to describe how Jennifer was dressed.

"She had a football Jersey on with a number 33, and she was carrying a pink and white plastic bag and a jacket on her left arm, **with a white stripe somewhere**, and black and white sneakers." That's a lot of specifics for someone who needed help

refreshing her memory, right down to the sneakers, but the one phrase stands out to me.

Now go to page 177 when Fierro asks Mrs. Nevel the same question.

“Well, the pink and white plastic bag, and a jacket on her left arm, it was blue **with a white stripe somewhere.**”

Does that sound right to you? With a white stripe somewhere. What does that mean? Who would answer a question like that? Was this an implanted response?

Please read [Betty Nevel's testimony](#) very carefully. Pay close attention to the way she answers questions, and make up your own mind. Is something wrong here?

There are credibility issues throughout, whether witnesses were hypnotized or not, Mrs. Nevel testified she had been taken to South Williamsport borough garage by Lt. Hynick of the Pennsylvania State police and Captain Ross of the South Williamsport Borough Police to see my car.

However, in earlier testimony (page 136), [Lt. Hynick](#) states that **neither he nor anyone in his presence pointed out the car to any prospective witness.** (Just another example that allows you, the reader, to see just how honest the state police were in my case.)

Finally, in Mrs. Nevel's convoluted testimony it comes out that she heard about Jennifer Hill being missing on Saturday, the 20<sup>th</sup>, but she really didn't pay much attention to it. She also implies that she heard things about the missing girl periodically over the next few days and did not feel compelled to tell anyone— even though she seemed to clearly remember that Jennifer Hill was standing in front of her house on Friday, Oct. 19<sup>th</sup>, and then got into a car.

Or did she remember that?

Anyway, it was upon reading about it in the Sunday newspaper— the Oct. 28<sup>th</sup> issue of the Grit (page 208)— that she was jolted into realizing what she had seen. It was her husband, she conceded, who conveyed to authorities that she had information that might be helpful. Of course, Oct. 28<sup>th</sup> was also the date the body was discovered.

Beth Nevel, 11 years old, was the one who supposedly made the identification of Jennifer Hill that day. She was in the sixth grade and Jennifer was in the seventh grade. She testified that she knew Jennifer Hill because “I saw her every day at school.” I know they did not go to the same school (elementary versus junior high), but I can't say conclusively when, where or how often she saw her.

I can say, however, that if [Beth Nevel](#) could have backed up her mother's observations about the car, especially if she had observed the damaged fender as it sat in front of the house, it would have been helpful, to say the least, to the Commonwealth's case. But Beth said she only looked out the window long enough to



recognize Jennifer Hill and catch a glimpse of an approaching “a pale color” car before turning away to resume watching television (pages 212-213).

She didn't see Jennifer get into the car. She didn't see who was in the car or anything about the car. She didn't even remember the color. She remembered the Glick shoe bag and that she was wearing some kind of slacks, but **she did not remember the most prominent part of her apparel**— the blue football jersey with the big “33” that everyone else who saw her that day recalled vividly.

I don't know why a little girl would lie about such a thing, but she might if it was important to her mother. I don't know. I literally wasn't there, and that's the problem with all of this.

Nevel's testimony never made sense. Why? Simple. It only takes 10 to 15 minutes to walk from the Hubbards' house to the Nevel house on Howard Street. It takes about the same amount of time to reach the corner of Market Street and Central Avenue where Joe Mendez saw a young female with the number 33 on her blue Jersey shortly before 4 p.m.

This is precisely where Jennifer should have been! It's one of the few things in all of this mess—all these thousands of words of testimony— that makes sense! What doesn't make sense is Mrs. Nevel testifying that she saw her at 4:30 p.m.

## Where was Jennifer for those missing 30 minutes?

## WHAT HAPPENED TO JENNIFER HILL?

Over the years a lot of people have asked me what I think happened to Jennifer Hill. To me, it's not complicated— not even a little bit. **Jennifer Hill went home**. It's all in state's own evidence.

Jennifer Hill's mother, Norma Hill, testified that she called the Hubbards' home at quarter after three on Oct. 19th, 1973. Jennifer didn't want to go home. She wanted to go to the football game with my sister, Ruthie, and all of her friends. There was some squabbling over the phone because she had to come home. So Jennifer got her things together and left the house at quarter of four. It takes between 10 and 15 minutes to walk from the Hubbard house to the corner of Market Street and West Central Avenue where Joseph Mendez saw a young girl standing on the corner with a blue football jersey with the number 33 on it. He was taking his wife to a 4 p.m. appointment with her chiropractor nearby and they were on time for the appointment. Jennifer, as has been noted, left the Hubbard home at about 3:45 p.m.

## This is precisely where Jennifer Hill should have been!

From that corner it takes between one and two minutes for Jennifer Hill to reach her house on Hastings Street. If she was really seen at the Nevel home at 4:30, which is

also a couple of minutes from that corner in the opposite direction, where was she hiding for that missing half hour?

*If her parents were upset and anxious for her to get home, would she really be wasting time, unseen by another human being, for 30 minutes?*

I believe that when Jennifer made it home and walked into the house, she walked into some real grief. I believe Jennifer was punished for arguing with her mother on the phone about the football game and for ripping her good pants, dark blue jeans, which she was not supposed to have worn that day. She was supposed have worn light blue pants, changing into them that day while staying with Ruthie. Jennifer's mother, Norma Hill, when reporting her daughter missing, had told Captain Ross of the South Williamsport Police that she was wearing the dark blue jeans— the pants she shouldn't have been wearing.

Yet her mother knew somehow.

I believe Jennifer was grabbed from behind by her neck (as Ertel demonstrated I must have done in the courtroom) and was forcibly made to sit in front of the Hills' own sewing machine. Ertel was demonstrating how I must have strangled her because the pressure marks were on the back of the neck, not the front, as is almost always the case in manual strangulation. It makes more sense that the marks were made, grabbing her from behind in anger and forcing her into a chair.

I believe Jennifer was trying to explain herself, which only infuriated someone in the home. I believe whatever happened to Jennifer Hill, a few minutes after arriving home she **suffocated to death** (*postmortem report states, "Jennifer Hill's lungs were fully expanded"*) in front of somebody in her own home. I believe what happened to Jennifer **was not intentional**. I believe someone in the Hill home got carried away in an angry response.

*The lack of other injuries or signs of a struggle indicate the damage to the cartilage that collapsed her airway either came as a surprise or so quickly the girl couldn't respond.*

At some point, someone took **Jennifer's partially-sewn pants** from the sewing machine, "rolled them up" and put them in the Glick shoe store bag that Jennifer used to carry her clothing home just minutes before. At this point and unresponsive, I believe Jennifer Hill's body was then taken to the Sylvan Dell area and put in the cornfield, which is less than a five-minute drive away from the Hill's home just outside the borough limits on their side of town. The pulled-down pants light blue pants, that seemed to suggest sexual violence, may have actually been the result of putting those pants on in a panic.

*If she has been forced to remove the dark blue jeans to sew up the torn crotch, she probably didn't have any slacks on when she died.*

There may be some readers out there that will say, “Oh my God! How can you say that?” I contend the state’s own evidence supports this scenario. It was always there! The facts that pointed to my innocence were ignored.

Here are the facts. From the Hubbard house on West Central Avenue, it takes 10-15 minutes to walk to the corner of West Central Avenue and Market Street in South Williamsport where [Mendez](#) testified he saw **a young girl with a blue football jersey with a number 33** “between 10 of four and 4:00” (page 745). It was, as I stated before, precisely where Jennifer Hill was supposed to be.

*(The prosecution didn't care for that scenario. Simply because it would have invalidated the testimony of Betty Nevel, their star witness. It should have.)*

Mr. Mendez did see Jennifer Hill that day. There are just too many coincidences for it to be otherwise. Why do I believe this? Back to the early seventies, how many 12-year-old girls were wearing football jerseys? That was mostly a boy thing, and the fact is that Mendez did identify a young female. The reason the jersey stuck in Joe’s mind, was the number “33”— **his number when he played football.**

There is no doubt in my mind that it was Jennifer Hill, but what you are about to read will prove Jennifer Hill did make it home, and remember, **it’s state’s own evidence!** *When Jennifer left the Hubbard’s house at 3:45 p.m. that day, she was wearing her dark blue jeans (as [Mary Mundrick](#), who saw her walking the route between the Hubbard and Hill homes, confirmed on page 100) with the hearts on the knees with red fringe around the bottoms of each leg.*

***But when Jennifer’s body was “supposedly” found in the field October 28th at 4 p.m. by Dwayne Gleckner, she was wearing a pair of light blue pants, and the pants she had on when she left our house were folded up and put in the Glick shoe bag she was carrying.***

***How is this possible? She must have made it home!***

When investigators were at the Pennsylvania State Police barracks in Montoursville, PA, inspecting all the evidence after my trial, they made a discovery— a huge discovery, and another that takes me out of the picture. Jennifer’s dark blue jeans with the hearts on the knees— the ones that she was playing football in that fateful afternoon, ripping out the crotch— was actually **partially sewn on an electric sewing machine.**

Why do I know Jennifer Hill made it home? Simple.

—**Where did Jennifer change her pants?**

—**Who took the time to fold them and put them in the Glick bag?**

—**Why were the pants only partially sewn?**

Think about it, if they weren’t sewn at the Hubbards’ house (my mother did not own



a sewing machine or use one), where were they sewn? This is why I know Jennifer Hill made it home. It's simple common sense.

Now, why didn't the state police search the Hills' house? Norma Hill and her mother, Clair Maggs, were both seamstresses. Jennifer Hill's dark blue jeans with little red hearts sewn on the knees also had the red handkerchief material sewn at the bottom of each leg—extensions for a growing girl. They weren't bought like that. They were sewn on.

**There was a sewing machine in the Hill home and two women with the expertise to use it.**

**Why didn't the state police analyze the thread in Jennifer Hill's pants with the thread already in the Hill's residence? It would have proved conclusively that she made it home.**

*Common sense tells me the state police were never aware of the fact that her pants were ever ripped in the first place. Lt.. Hynick and Sgt. Peterson confirmed by their actions what the pants she was found in betrayed. **Why else would they go to the Hubbard's house and ask if they had an electric sewing machine?***

There are two things, in [Jack](#) (pages 668-681) and [Norma](#) (50-73, 81-83) Hill's testimony that stand out for me personally. It comes down to my word against theirs, but it never made sense to me. Jack and Norma testified that they both walked west on West Central Avenue looking for Jennifer and when they got to Clinton Street just a half block from our house, Jack turned right to Southern Ave. three blocks north and then circled back east. Norma talked to my mother and my sister (page 59) at that time, she said, and when asked by Ertel if she saw me "at any time that evening" she said, "No, I didn't." Jack also said he didn't see me. That's the part that never made sense to me, because **both Norma and Jack Hill lied.**

As I sit here writing this I still remember seeing both of them that evening— and I know both of them saw me. I'm not sure why they lied, but I know now it was at the behest of Allen Ertel. I suppose it was important to have the jury thinking I was out there somewhere on the prowl.

Then there was **another lie**, under oath, by Jack Hill (page 680) when Ertel asked him if he had ever seen Jennifer in my vehicle. His response?

"He brought her home on occasion." Jack Hill lied.

Of course, as the parents of the victim, they had the jury's sympathy, and Ertel used this to his advantage— even making me Jennifer's occasional chauffeur. I never took Jennifer home!

There are a lot of things that I don't remember about the trial. It was more of a dream state that turned out to be a nightmare. I don't really remember anybody who

testified at my trial. I know that might sound odd, but it's true.

But I do remember one thing still vivid in my memory—Allen Ertel standing before the jury and demonstrating how I, Kim Hubbard, was supposed to have strangled Jennifer Hill to death. The marks of thumbs pressing into the back of her neck did not match strangulation from the front, so Ertel re-enacted me strangling her from behind. I guess this is leading up to my next point.

How do you strangle someone to death in the front seat of a car from behind? Standing in a courtroom demonstrating your theory to a jury is one thing, but stop and think about it.

*How was I supposed to have done this? Was I supposed to be on top of Jennifer Hill strangling her? Front seat? Backseat? This is what the prosecutor didn't tell the jury—and it worked to his advantage. But where was my attorney. It seems to me he could have easily raised serious doubts about Ertel's theory.*

*If I were on top of Jennifer Hill strangling her, that means she must have been face down on my seat. I'm no criminologist but I assume that if I'm strangling somebody to death in my car, something would have come out of the victim's mouth, nose or elsewhere, remaining behind as evidence. Did they find anything on my car seats front or back?*

**Not in my cluttered, uncleaned car confiscated shortly after the body was "found!"**

Did Jennifer urinate or defecate herself when she died? Did they find anything?

**Not in my car!**

Say you are on top of somebody strangling them. Wouldn't there have been some kind of struggle? Wouldn't at least one strand of hair be left behind—**somewhere**? Did they find any?

**Not in my car!**

If Jennifer Hill was in my car moving around wouldn't she have touched something? Did they find any fingerprints? Their own eyewitness saw a girl identified as Jennifer Hill open the door and get into the passenger front seat of a car.

**Not in my car!**

And then there was that missing earring.

**They didn't find it in my car!**

Finally, according to the postmortem report, two fingers on Jennifer's right hand were missing fingernails. It seems likely they came off in whatever struggle occurred or when the body was removed.

**They didn't find them in my car!**

That brings me to ask whether they searched the Hill home or the Hill vehicle. Obviously, Jennifer's hair and prints would abound there, but wouldn't you try to find a match for the sewing thread or track down the missing earring? They were locked in on my family from the beginning and they got a case of tunnel vision. In fact, had not my father had a solid alibi for the time in question, he may have been the one they settled on as a suspect. It was his pickup truck that the police were interested in first.

A newspaper reporter, Wes Skillings, who spent a lot of time looking into the case and many hours interviewing my father, said the first time state police came to our house, they swarmed all over my father's pickup truck. I wonder how much attention they paid to Jack Hill's car.

You may have already guessed what I'm getting at:

**Jennifer Hill did not die in my car. Evidence—and failure to pursue it elsewhere— tells me Jennifer Hill died in her own home.**

There are people out there who know what I'm saying makes sense. But here's something else neither the jury nor the public was told. After strangling Jennifer to death (*which according to Dr. Catherman in testimony takes at least six minutes*) according to the prosecution, I, for starters, have to remove Jennifer's sneakers. Then I have to take Jennifer's dark blue jeans off. I have to roll them up, take the light blue jeans out of the Glick bag up which she had been carrying with her. But wait! I still have to take the dark blue jeans and put them in the shoe bag.

Did they find fingerprints on the Glick bag? There must have been some there, but **they didn't find mine.**

Now I have to put the light blue jeans on the body, gathering them around the ankles, plus pull her underwear down. Then I have to put her sneakers back on. So now I've done everything they say I had to do before disposing of the body!

*I'm not even going to get into how I was supposed to sew Jennifer's pants with a sewing machine in my car. Had we known what we know now, imagine trying to explain that to the jury!*

Here comes the part where it gets even more confusing. Now that I am done strangling Jennifer Hill and changing her clothing, according to Ertel's scenario, I have to get her out of my car. I've got a 120- to 125-pound corpse, and I decide to dispose of it in that cornfield on Sylvan Dell Road. I drive up that lane to their phony dumpsite 127 feet from the road where a bulldozer, on an undocumented job, conveniently deposits mud just a few hours before.

**According to transcripts, the closest footprint to the lane was 15 feet.** You figure it out. No footprints leading to the body or leading away from the body. You have already read what Dr. Miller did and observed, so you figure out how a person was supposed to get the body in the field and get back out without leaving footprints.

Now, I get back in the car and drive back down the lane (*running over the same mud that I drove over coming up the lane*). Did I back in and drive out or drive in and back out? There was certainly no room to turn around. Back on Sylvan Dell Road, I drive home, get out of the car, walk in the house just in time to answer the phone. It's Jack Hill, who says he called "around 5:00" (page 669) and he wants to know if his



daughter has left yet!

*I'm thinking that if she made it home and died there not long after 4 p.m., he's in panic mode, probably having already dumped her body, and clumsily setting up an alibi that at 5 p.m. they're still awaiting her arrival. (Remember: I couldn't have done anything to Jennifer until sometime after 4:30 when she was seen getting into a car. However, she would have been home a half hour before that, giving them that much more time.)*

Cpl. Ronald Barto testifies on page 657 that he timed himself driving from Betty Nevel's house on Howard Street to the field and then to my house at the time. Barto said it took between 12 and 14 minutes. He did say, when cross-examined, that he did his test runs in the early afternoon on a Thursday (page 658) — not on a Friday at 4:30 p.m. in an urban area of about 60,000 residents, including Williamsport and Loyalsock just across the river. I have made this same trip myself several times. So have other people interested in this case.

The problem with Cpl. Barto's test run is **he didn't stop!** And where was I have supposed to have driven to commit the murder? A secluded parking spot outside of South Williamsport was proposed as the crime scene by Ertel in remarks to the jury at one point, but that would have added more minutes to the trip. As I said, I've made the same trip myself. The best I could do was 13 minutes, running two stop lights, on a Sunday morning at 8 a.m. I couldn't come close to that time on a Friday at 4:30 p.m.

Remember Norma Hill's testimony? You just read it. She looked at the clock (page 57) and it was, she concluded, "quarter of five or 10 minutes to," which had Jack making that call I answered even earlier. Jack Hill wasn't sure what time it was, giving an approximate time of "around" 5 p.m. Jack even got to listen to his wife's testimony, and still decided to go with the later time.

Even if you take 13 minutes and add six minutes (*because that's how long it takes to choke a person to death according to Catherman*), **that's 19 minutes**. So, the round-trip and choking Jennifer Hill to death takes 19 minutes, according to their testimony, and the Hill home is closer to the field than the Nevel home and away from the heavier traffic (and traffic lights). And, yes, whoever did it, you have to take into account moving the body, driving into the lane, changing clothing, sewing the pants and the other add-ons that would have to take place.

**I ask you which scenario makes more sense in the time allotted for Jennifer to be killed and her body disposed?**

Cpl. Barto didn't include those "add-ons" in his testimony meant to show that I had time to commit the crime and return home to answer that call. He neglected to tell anybody about that, and, of course, Ertel asked no questions that would shed light on this. My own attorney, to his credit, did get clarification on when Barto timed the trip (1 p.m. on a Thursday in November) and touched on the fact that he did not include the time for stopping, talking or "to kill somebody" (page 659).

In retrospect, this flawed part of their case should have been challenged again and again.

***My point is, as most of you have figured out by now, is that it was impossible for me have committed the crime based on state's own evidence and—just for the record—it never happened.***

## CONCLUSION

Now, I would like to speak to Allen Ertel, Dr. Earl Miller, Trooper Joseph Keppick, Cpl. Donald Houser, Lt. Steven Hynick and all of you who knowingly played a role in convicting me of a crime I didn't commit. I hope you are sitting there, having read everything I just wrote. You should be hanging on every word, because most of you only provided certain pieces to this puzzle and are unaware of the complete picture. Mr. Ertel and Dr. Miller would be the exceptions.

I know you never thought anybody would ever figure out what you did. I know you're thinking nobody will ever do anything about it, just as they've allowed this injustice to fester all these years, and you're probably right!

But, from this moment on, every time you wake up in the morning and greet your wife, your kids or your grandchildren, you should be ashamed to look them square in the eyes. It may even be your nursing home attendant after all of these years and, for some, you are dead and buried, but not resting peacefully, I hope.

Every time you go to a family reunion, a gathering of retirees, the store, the gas station, senior citizens' center, or anywhere where there are people who believe in justice, fairness and protection of the law, don't look them in the eye, because if you do, you will see me looking back at you.

That's right. I will be in their heads because they would have read everything just as you have and they will now know you for the monsters you really are. Monsters are essentially creatures without conscience, and that's what you became when you did what you did. You'll be out socializing and you catch someone staring at you out the corner of your eye. Don't look at them because you already know what they're thinking.

And when that day comes when you are lying there on your deathbed, struggling for your last breath, I will be there with you. When you are dead and gone, I will be there as part of your epitaph.

Whatever good you may have done, they will also remember what you did to Kim Hubbard and his family in Lycoming County, Pennsylvania. My father and mother have both passed on—good and caring people whose greatest failure was trusting in a system that let them down. My father, who did more than enough to exonerate me, died believing he had failed, but most of what is on this website came from him. It will, because of his diligence and determination, live on far longer than the rest of us will.

So, with that said, I hope you enjoy the rest of your lives.

There hasn't been a day of my life, in the last 40 years, that I haven't thought of at least one of you— or any the people that you used to help put me in prison for a crime that I did not commit.

From this moment forth, I will no longer waste my time thinking of any of you. I will now let others think of you.

Now, finally, after 40 years, all I can think of to say to all of you is... **case closed.**

*'Now that I've told my story people might ask, what did you hope to achieve by putting this on the internet?*

*First of all, You've already done the first thing, you've read my story. Thank you. You know what happened to me, where it happened and by whom.*

*The second thing I hope to accomplish is, by putting my whole case on the internet it can be analyzed, at leisure by any law firm, law school or law school student with the hope that someone will see the injustice done to me and help me exonerate my name.*

*Again, my name is Kim L. Hubbard and I thank you for reading my story."*