



PHOTO BY JOHN F. BROTHERS/CONNELLSVILLE (PA.) DAILY COURIER

Crystal Weimer (left) is led by Connellsville police officer Ronald Haggerty Jr. to a waiting police car after being arraigned on charges for criminal homicide. Weimer eventually was convicted of murder.

BITE-MARK BLUNDER

Questionable evidence leads to incarceration

Despite disagreements by experts, Crystal Weimer was convicted of murder.

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The only physical evidence linking Crystal Weimer to the brutal murder of 21-year-old Curtis Haith was a photo of a supposed bite mark on

his hand, which spawned a courtroom battle between two forensic experts that would determine Weimer's fate in the 2001 slaying.

On one side, a Fayette County prosecutor presented a bite-mark expert, who used photos of the dead man's hand, a computer software program and a self-inflicted bruise on his own skin to

suggest the mark on Haith's hand was from Weimer.

Then, a defense expert testified that by using seven random teeth molds to cause a bruise on skin, every mold matched a wound like the one found on the victim.

In the end, that forensic testimony was so confusing that the jury disregarded it and relied on the

By Bridget DiCosmo



Bite-mark evidence

■ A study done in 1999 by a member of the American Board of Forensic Odontology found a 63.5 percent error rate of bite-mark identifications by a group of 32 certified members of the ABFO.

■ The field of forensic odontology is relatively new, as it was only instituted into the American Academy of Forensic Sciences in the early 1970s. The ABFO was established in 1976.

■ There is currently no forensic odontology database to compare dental samples.

■ Dr. Michael Bowers, a current member of the ABFO, told the Boston Globe in a 2004 interview that bite-mark identifications are "flawed and based on wishful thinking, as far as being conclusive scientifically." Bowers published a study he conducted in 2002 that revealed that on average, board-certified forensic odontologists falsely identified the biter nearly two-thirds of the time.

■ A study on the reliability of forensic odontologists to determine identification on a bite-mark photo taken 24 hours after death produced an error rate of 91 percent.

■ Bite-mark analysis is not a scientifically validated forensic discipline.

■ No government entity has ever reviewed the validity of bite-mark evidence.

"While I'm innocent in jail, the killers are out there free to do it again."

CRYSTAL WEIMER

CONVICTED MURDERER, DISCUSSING THE MISCARRIAGE OF JUSTICE THAT SHE BELIEVES OCCURRED IN HER CASE.

testimony of a career criminal whose story changed more than a dozen times during the five-year investigation to find Weimer guilty of third-degree murder.

Although bite-mark testimony is widely used in cases like Weimer's and in sex crimes, one of the only reliable studies ever performed on the science was commissioned by its own guild – the American Board of Forensic Odontology. The organization is trying to establish clear standards and terminology to begin to build conformity in a science that has been mired in confusion like what the jury heard in Weimer's trial.

Murder in Connellsville

On Jan. 26, 2001, Haith was partying with Weimer and a large group of their friends at Weimer's sister's house in Uniontown, Pa., when Haith begged Doug Giles for a ride to the Arch Café in Connellsville, Pa., about 12 miles away.

Weimer accompanied them on the round trip, returning just after midnight to her sister's house, where she got in a vicious fight with her jealous boyfriend, Michael Gibson. He was angry that she went to Connellsville without him. She suffered a black eye and broken toe in the fight. She bit his thumb, causing blood to be splattered on their clothes.

Meanwhile, in Connellsville, Haith drank at the Arch Café until about 2 a.m. and then invited a group back to his nearby apartment for more partying. Twenty minutes later, police received a call from neighbors stating they heard screaming coming from the apartment. On arrival, they found Haith dead on the ground, beaten severely and suffering from a gunshot wound to the face.

Because she was with him that night and because she had some disagreements with Haith in the past, Weimer was

an immediate suspect.

The mother of three, who lived in foster homes most of her childhood after the state removed Weimer and her sisters from their mother's care, was in and out of trouble nearly her entire life, building a long criminal history related to theft and con artistry.

The morning after Haith's death, Weimer was in bed recovering from the previous night when police showed up to question her, finding her still in the clothes with blood on them.

The clothing was immediately tested. The DNA from the blood was a match to her boyfriend, corroborating Weimer's alibi that she was in the scuffle with him in Uniontown after having dropped Haith off in Connellsville.

The bite mark

Ten months later, there were still no charges filed, but after numerous interviews, police believed the killing was related to drugs and Weimer had something to do with it. That's when a member of a Pennsylvania State Police cold case squad noticed a bruise on Haith's hand in an autopsy photograph and believed it looked like a bite mark.

They asked a local dentist to build a mold of Weimer's teeth and compare them with the photographs, but it did not produce a match, so they asked a Connecticut-based bite-mark expert named Dr. Constantine Karazulas, a forensic odontologist for the Connecticut State Police, to examine them.

Using Weimer's dental mold to "bite" his own arm, he compared his bruising with the photographs. After repeating the painful process for two weeks, he concluded the mark on Haith's arm came from a bite from Weimer just before his death.

Then, Weimer's jailed ex-boyfriend, Thomas Beal,

who was seeking a deal for freedom, told authorities Weimer confessed the killing to him.

Weimer was charged with murder, but the case was dismissed when Beal recanted his story at a preliminary hearing, stating he was pressured by police to testify against his ex-girlfriend.

Weimer was released, but her plight was far from over.

Two days after the charges were dismissed in 2004, another jailhouse snitch, Joseph Stenger, told police he was involved in the slaying and would testify if they cut him a deal. The charges were filed again.

During the two years that she sat in Fayette County Jail awaiting trial, Stenger's story would change seven times.

First, he said he helped Weimer and her ex perform the killing. Then, he said he wasn't there but helped them dispose of the gun and the clothing. He told his mother he was an innocent bystander who watched in terror as Weimer beat the 300-pound Haith to death. Then, he added two unnamed accomplices to the tale. By the time the preliminary hearing was set to begin, his story was that he may have shot Haith accidentally while firing his gun in an effort to stop the attack. According to other jailhouse informers, he bragged about killing Haith himself and setting up Weimer over something she did not do.

The trial begins

At the April 2006 trial, Stenger offered a seventh version of his involvement, saying it was not her ex-boyfriend who tussled with Weimer the night of the killing, but Haith. According to Stenger, Weimer took him hostage and forced him to watch as she and two unnamed black men beat Haith to death in retaliation for the alleged rape of Weimer. He also said he may have fired the fatal bullet by firing a stolen handgun – which he could not produce – into the fray to stop the attack.

Under cross-examination by Assistant Fayette County Public Defender Jeffrey Whiteko, Stenger, a blond-haired, blue-eyed, career

criminal in his 20s said he was high on cocaine, his "favorite drug" at the time and had lied many times to police out of fear of Weimer's retaliation.

Despite Gibson's testimony about the fight, the ex-boyfriend not only admitted getting into a fight with Weimer, but also that it became so nasty that he "had to hit her." He showed the jury the scar on his thumb from where Weimer bit him, explaining that's how his blood got on her clothing.

During the battle of the bite-mark experts at trial, Karazulas explained how he used a computer program and a cast of Weimer's dental plates to bite his own arm to replicate the injury. He reached the conclusion that Weimer bit Haith the night he was killed. Karazulas also bit his own arm for the jury to "show the process of healing."

Countering that, Dr. Michael Sobel, the defense's expert and chief of forensic odontology for Allegheny County, said the mark on Haith's hand was of "limited evidentiary value" because of the poor photo quality. Sobel said that when he tested the bite mark against 20 other molds he randomly selected in

his office, seven matched as well as the Weimer molds, contending the prosecution's witness was less than exact.

Former Allegheny County Medical Examiner Dr. Cyril Wecht also testified that he didn't think the bruise was a bite mark when he performed the autopsy on Haith just after Haith's demise.

After eight hours of deliberation, the jury disregarded the bite-mark evidence because they could not agree with either expert, instead relying on Stenger's questionable eye-witness testimony, and they later found Weimer guilty of third-degree murder. She was sentenced to 15 to 30 years in prison. She is currently incarcerated in the State Correctional Institution at Cambridge Springs in Pennsylvania.

"Can you see the doubt and the fact that other people should be questioned, as well," Weimer said. "While I'm

innocent in jail, the killers are out there free to do it again."

Her first appeal, in which she argued that Karazulas used unconventional methods to test the bite mark and that Fayette County District Attorney Nancy Vernon demonstrated prosecutorial bias against her, was denied in the spring of 2007.

In the latest appeal to the Supreme Court of Pennsylvania, Weimer's lawyers argue that she should be acquitted or granted a new trial based on the fact that it is not possible to be charged and convicted of conspiracy to commit third-degree murder. The charge of third-degree murder entails that it is the unintended consequence of a malicious attack, thus there can be no conspiracy.

"I'm surely praying that God opens these bars and gates, and the truth prevails and sets me free," Weimer

said. "So, I can get on with my own life and put this all behind me."

"I'm surely praying that God opens these bars and gates, and the truth prevails and sets me free."

CRYSTAL WEIMER

CONVICTED MURDERER, HOPING THAT SHE WILL BE RELEASED FROM PRISON.

Bridget DiCosmo



Bridget DiCosmo graduated from St. John's University in Queens, N.Y., in 2003. She attended

Point Park University as a graduate student from 2005-07 and still is working on her master's degree. She currently resides in Cape Girardeau, Mo., where she works as a daily reporter covering the crime beat for the Southeast Missourian newspaper.

Thank's a million for working hard home
on my case that's all I want is the truth of
Justice so I can come home after all
Justice so I can these years to

CRYSTAL WEIMER'S LETTER WRITTEN ON FEB. 5, 2008, TO THE INNOCENCE INSTITUTE OF POINT PARK UNIVERSITY

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