

Affidavit of Charles Linch

In the Criminal District Court No.3

Dallas County, Texas

DARLIE LYNN ROUTIER

No. F96-39973-MJ

IN THE CRIMINAL DISTRICT COURT NO. 3 OF

DALLAS COUNTY, TEXAS

Second Affidavit Of Charles A. Linch

COMMONWEATH OF VIRGINIA

COUNTY OF HENRICO

I, Charles A. Linch, being dully sworn and under penalty of perjury, declare as follows:

1. My name is Charles Arian Linch. I am 49 years of age and am competent to make this Affidavit. I have personal knowledge of the facts stated in this Affidavit, and those facts are all true and correct.
2. This is the second of two affidavits I have filed in the above-captioned action based on my capacity as an expert witness for the State of Texas in the capital murder trial of Darlie Routier. The first affidavit, styled "First Affidavit of Charles A. Linch" ("First Affidavit"), set forth my interactions with Bart Epstein and Terry Laber, the forensic experts initially retained by Darlie Routier's defense counsel.
3. As stated in (2) of my First Affidavit, I am currently employed with the Virginia Division of Forensic Science, Trace Evidence Laboratory, 700 North Fifth Street, Richmond, Virginia, 23218, as a Forensic Scientist Senior (FS III) and have been so employed since September, 1999. The Division of Forensic Science is a Nationally Accredited Forensic Laboratory (ASCLD) and as such I was required to pass hair and fiber identification/comparison competency test and pass a mock trial prior to

being allowed to do casework. Since the spring of 2001, I have also worked part-time as an Adjunct Instructor at Virginia Commonwealth University in the Masters Program of Forensic Science. I have authored and co-authored six papers concerning forensic hair examination. In my position as a Forensic Scientist Senior, I am subpoenaed to testify as an expert witness in criminal cases for both the Commonwealth and the defense regarding my forensic analysis of hair and fiber evidence.

4. As stated in (3) of my First Affidavit, prior to my employment with the Virginia Division of Forensic Science, I was a Trace Evidence Analyst at the Southwest Institute of Forensic Sciences (SWIFS), Dallas, Texas. I held the position of Trace Evidence Analyst at SWIFS from 1990-1999, with the exception of a four-month recess between June 1994 and September 1994. As a Trace Evidence Analyst, I specialized in the fields of hair and fiber examinations, gunshot residue analysis and glass examination. In that role I testified in numerous criminal cases regarding the forensic analysis of hair and fiber evidence.

5. One or about June 6, 1996, during my employment at SWIFS, I became involved as a forensic analyst for the State in the murders of Devon and Damon Routier. In addition to personally collecting certain trace evidence directly from the crime scene at 5801 Eagle Drive, Rowlett, Texas, investigators for the State provided me with numerous pieces of evidence for analysis. This evidence was collected from the crime scene at 5801 Eagle Drive, Rowlett, Texas, and delivered to me at the SWIFS Laboratory. I performed both hair and fiber analysis of the evidence collected from the crime scene. Based on the results of this analysis, I ultimately testified as an expert witness for the State of Texas in the capital murder trial of Darlie Routier.

6. On or about June 8, 1996, I received several pieces of evidence from Detective Jim Patterson. This evidence included a butcher block with eight knives. The butcher block and knives were identical to the butcher block and knives I observed on the kitchen counter at 5801 Eagle Drive, Rowlett, Texas, on June 6, 1996.

7. At the time I received this butcher block and knives at the SWIFS Laboratory, both the butcher block itself and all the knives in it had been dusted for fingerprints. This included a serrated bread knife which I later designated as "Knife #4." This knife was located on the left end of the bottom row of knives in the butcher block.

8. The serration grooves in Knife #4 contained debris consisting of microscopic rubber dust particles and a microscopic fiberglass rod fragment. Based on my forensic microscopic comparison, this material was microscopically consistent with debris obtained from the garage window screen at 5801 Eagle Drive, Rowlett, Texas. However, while I was asked only to perform microscopic tests on these samples, microscopic

comparison is not the most discriminating method available to determine the source of this debris. If the rubber dust particles and fiberglass rod fragment can be located and removed from the mounting media for testing, more discriminating chemical testing can be performed on this evidence to determine if the debris found in Knife #4 is in fact consistent with the debris from the window screen material. For example, a Fourier Transform Infrared Microscopy (FTIR) test can be used to create a "chemical fingerprint" of the microscopic rubber particles. As a trace evidence analyst, I would recommend such testing be conducted if possible.

9. To the best of my personal knowledge and belief, the fiberglass rod fragment obtained from the serration grooves of Knife #4 is located at either a) the Bexar County Forensic Laboratory, San Antonio, Texas on a SEM planchet, or b) at the Southwestern Institute of Forensic Sciences, Dallas, Texas, on a glass microscope slide.

I declare under penalty of perjury that the foregoing nine (9) numbered paragraphs are true and correct.

Dated: July 11, 2002

[signed]

Charles A. Linch

COMMONWEALTH OF VIRGINIA

COUNTY OF HENRICO