Seminar 8: Patterns of Human Behaviour

“The neighbours... were talking that it was kind of funny.”

Read Chapters 10 & 11 and Part 12.1 of Chapter 12 of Uniform Evidence, pp 149-154 of Proof and the Preparation of Trials, ss 94-103 & 106-108 of the Evidence Act 2008 and ss 13, 24 & 32 of the Charter. Your goal is to be capable of identifying evidence that relies on arguments about patterns of human behaviour, become proficient at performing factual analysis of such evidence and be able to apply the UEL’s tendency, coincidence and credibility rules.

Identify or imagine evidence that might have an impact on the credibility of:

- Candace Zamperini (see her testimony from Seminar 2 and her statement from Seminar 5)
- Patricia Peterson (see her statement below)
- Margaret Blair (see Michael’s 1990 letter to her)
- Clayton Peterson (see the reference to him in the newspaper article)
- Barbara Malagnino (see her letter to Art Holland)
- One of the expert witnesses

Consider whether and how an attack could be made on these witnesses’ credibility consistently with the UEL. Could the Charter affect the UEL’s credibility rule?

Now read the newspaper article. What generalisations might one side or the other like to make about Kathleen? Is the evidence ‘tendency’, ‘coincidence’ or ‘credibility’ evidence? Consider whether and how such evidence could be adduced consistently with ss 94-100 of the UEL.

Next, read the evidence about the death of Elizabeth Ratliff. Is the evidence ‘tendency’ or ‘coincidence’ evidence about Michael Peterson? Does it matter? Construct an argument about whether or not the evidence satisfies s101 of the UEL.

Do you think the charge to the North Carolina jury was correct? Would Karen Hamm’s note be admissible under the UEL? How could her credibility be attacked?
Seminar 8

ARTICLE FROM THE NEWS & OBSERVER, 23RD DECEMBER 2001

DURHAM — Christmas Eve will not be the same this year on the stately old streets of Forest Hills without Kathleen Peterson delivering her homemade croissants late into the night.

Since she arrived in the neighborhood southwest of downtown in the early 1980s, she had impressed her neighbors with thoughtfulness and energy that seemed boundless.

“She was a very generous person,” neighbor Maureen Barry said. “She came to clean your chandelier on your birthday for you.”

Skilled at everything she did in the telecommunications industry, anthropology, cooking, sewing and giving parties — Kathleen and her husband of 4½ years, novelist and raconteur Michael Peterson, were a perfect match for Durham's high-society circles.

But this Christmas, their neighbors, relatives and friends are hollow with the loss of the 46-year-old woman in a sudden and violent death, and the arrest of her husband on a charge of premeditated murder.

Peterson, 59, was indicted Thursday despite his insistence that his wife accidentally turndown a stair case in their mansion sometime after midnight on Dec. 9, he relaxed outside by the pool.

Their circle of friends are railroad around Peterson, a decorated war hero who often boasted of the exotic adventures in his past, and who made a name for himself locally as a combative critic of police and city officials. His supporters say there is nothing in the couple's past that could have predicted this ending.

“My brother-in-law is an amazing man and I am standing by his side,” Kathleen’s sister Candace Zampini said. “He’s innocent — he did nothing but love my sister, and she loved him.”

Even under the worst circumstances, many of their friends say, they cannot imagine that Mike Peterson meant his wife harm.

“Where’s the motive?” asked longtime friend and neighbor Andy Widmark, a commercial real estate company owner who has known them both for many years. “First-degree murder just sounds so absolutely absurd.”

Mike and Kathleen were part of a close-knit group of about 16 neighbors, going back to when they each lived there while married to other spouses. Many in the neighborhood play bridge and have parties together, and the Petersons frequently opened their mansion for socializing.

Although the couple had no children together, they brought 3 of them into the family: two sons of Mike's from his first marriage, two girls that he had taken in after their parents died, and Kathleen's daughter from the previous marriage. The last of the children grew up and moved out this year, three are in college.

Kathleen often put the children to work whitewashing the brick walls at the driveway entrance and powerwashing the slate patio, while she tended to three dozen, multi-colored rose bushes, Barry said. She was a gourmet who had no trouble putting together 11 different deserts in a single day.

The 14-room mansion — used as a set in the movie “The Hardball's Tale” — was also home to as many as five dogs; now there are two bulldogs, Whiskers and Perry. Mike, who became the neighborhood association president in June, was adept at negotiating differences between some of the older and newer residents.

To everyone, the Petersons seemed like proud parents and an enviably happy couple, attentive to each other in public, explor ing new restaurants and shopping at Costco every Tuesday morning. “They finished each other’s sentences, they were sociable in the same way — they were made for each other,” Zampini, of Lancaster, Pa., said.

They swallowed wine — lots of it, several friends said.

Both often went partying, social animals,” Widmark said. “It’s that kind of neighborhood, for one thing.”

“Girl of the Year”

Kathleen's talent and ambition had surfaced long before she graduated at the top of her high school class in Lancaster, where she also had been voted “Girl of the Year” and “Lancaster Lass” in civic events in the 1960s.

“She was an absolutely amazing person; I’m still in awe of her,” Zampini said. “She was an amazing executive and scholar and he could cook and sew her own clothes.”

Their father stressed the value of a good education for the brother and three sisters, and instilled a sense of self-confidence and success, especially in the girls, Zampini said.

She had no trouble getting into Duke University, where she was the first female student accepted into the engineering school, earning a master’s degree there in 1975. Soon after, she married Fred Atwater, a physicist with a love of sailing.

Although they separated when their daughter Caitlin was 4 years old, Atwater remained involved in his daughter’s life.

Kathleen’s career took off quickly, and she eventually became director of information services at Nortel Networks, a job that at one point put her in charge of 3,000 people as she managed offices in Dallas, Ottawa, Toronto and Research Triangle Park.

She flourished in the Forest Hills neighborhood, where her friends called her “a 48-hour-a-day woman,” Barry said. “By that, we meant she fit more things into 24 hours than any of us ever could.”

She served on the board of the Durham Arts Council and hosted fancy parties at her home for American Dance Festival, the Carolina Ballet, the Durham Art Guild and the Mallarme Quartet. She had been invited to attend a special viewing of “The Nutcracker” at the Executive Mansion three days after her death.

On the day she died, Kathleen was supposed to participate in a boutique for 100 underprivileged children.
They were both fairly heavy drinkers — not drunks. Those are the kind of people who don’t hide anything. When you’re sitting there drinking a bottle of wine you have a hard time keeping your emotions to yourself.

I have been there many, many times when there were parties, there was lots of wine being drunk by everybody — even under those circumstances I never once heard them in a tiff, much less an argument."

**Jay Waidman, owner of a real estate company who has known the Petersons many years.**

**Patterns of Human Behaviour**

*Author, soldier, columnist*

by the time Kathleen graduated from high school, Michael Peterson had already been through the Vietnam War, which would shape his later novels.

Born in Nashville, Tenn., to an Army officer, he had two younger brothers and one younger sister moved almost four years. Peterson later recalled his early years in newspaper columns he wrote for the New York Times, the New York Times, the New York Times, and the New York Times. Among the most influential was the New York Times.

He enrolled in Duke University and became editor of the school paper. He later became editor of the school newspaper. He published his first book, "The IMDb Dragon," in 1990, which was a best seller. Readers said NBA wanted to make a movie out of the novel and bought the rights there separately for several hundred thousand dollars.

The books allowed Peterson to buy the Cedar Street mansion, in which the house was filled with hundreds of thousands of dollars’ worth of antiques and collectibles, including 500-year-old furniture from Germany and Japan, carvings from ancient Chinese pagodas, art and Christmas decorations from around the world.

David Perlmutter, a reporter with the Charlotte Observer, met Peterson about 1994. They shared an interest in Charlie, who after World War II was a Chinese boy who endeared himself to a company of Marines stationed in China at that time and is now a Chapel Hill resident. Perlmutter and Peterson spent two years together writing a book about it — "Charlie Two Shoes" — and talked almost every day.

About 1982, Kathleen moved to the Cedar Street mansion with him, although Peterson did not officially divorce his first wife until 1996. Perlmutter describes Peterson as a brilliant, sensitive man who loved his wife and family. "He adored her," Perlmutter said. "He was constantly talking about her."

This year, the holidays began to seem around the Petersons amid a series of misfortunes and their usual hectic schedule: Kathleen Peterson had to lay off employees at Nishil, their house and car had been broken into several times; and she had just returned from throwing a Thanksgiving feast for two dozen at her mother’s house in Florida. A week before she died, her mother was laid off and Kathleen was devastated, her sister said.

"She very much felt the stress of the car company remodeling," Perlmutter said. "It broke her heart every time she had to let someone go." Kathleen complained she had stress might have caused fainting spells during which she fell, according to a friend, Robert Cappelletti, president of an architectural millwork firm. She told him she had been blacked out while sitting on her bed, he said.

"She said, 'Thank God it happened then and not somewhere else,' because God knows what could have happened," Cappelletti said. This summer, Cappelletti saw her driving her Jaguar wearing a neck brace and found out later that she had fallen during a party, he said.

Cappelletti and his wife had dinner with the couple a week before she died, and she said she didn’t have time to see a doctor about the fainting spells until after the holidays. The couple was in full swing: Two nights before her death, the couple learned that the book about Charlie Two Shoes had been optioned for a movie, and so it was with bittersweet sorrows that they went to the annual Christmas party for The Independent Weekly newspaper.

Watson, the publisher of the paper, said he didn’t know where the money came from and eagerly sampled the food while her husband tagged along asking about a mutual friend. "They just enjoyed each other’s company," Watson said. "It was really clear how close they were and how fun they had together."

On Saturday night, several people said, the Petersons stayed home to celebrate the movie deal. Perlmutter said that Michael Peterson’s sons told him afterward that the couple had been drinking a lot of champagne that night.

Mike Peterson said he was relaxing outside by the pool when his wife left to go to bed. He said she had found her at the bottom of the stairs with blood pooling around her. Sobbing, he called 911. He covered her body in a stairwell long after she was pronounced dead, witnesses told his story.

Friends who were told Petersons’ drinking as a plausible explanation for how Kathleen might have lost her balance and fallen, down the stairs, are just as quick to insist the couple never fought when they drank. "They were both fairly heavy drinkers — not drunks," Waidman said. "Those are the kind of people who don’t hide anything. When you’re sitting there drinking a bottle of wine you have a hard time keeping your emotions to yourself."

"I have been there many, many times when there were parties, there was lots of wine being drunk by everybody — even under those circumstances I never once heard them in a tiff, much less an argument." Cappelletti said. The rear staircase is narrow and drapes to a landing with an automatic chair lift. Kathleen could have struck her head on the chair or the railing, he says.

"They were celebrating, and I know the way they celebrated and I know it was either a violent accident or she fainted," Cappelletti said. "I can’t believe Mike can go on, she completed his life so much."

A pathologist, however, testified before a grand jury that Kathleen’s injuries did not appear to have been caused by a fall, but rather by a blow to the head. Police have refused to disclose what other evidence they may have, but a defense motion suggested it could include what they deduced from the pattern of blood spatters around her body.

Police as well as family and friends are awaiting the final autopsy reports, which won’t be complete until next month.

For now, Michael Peterson will spend the holidays in jail. Everyone else will be at a loss. "My son has the two up and baby daughter is the only one who presents under the tree," Caitlin Atwater said Friday. "I don’t know what we are going to do. My mother and Mike had a loving relationship and never would have wished harm on each other."
STATEMENT OF PATRICIA PETERSON

Interview with Patricia Peterson:

On 12/28/01, 1100 hrs., I, Inv. A. H. Holland, Jr., met with Patricia Peterson. Inv. Mike Harris also sat in on this interview. Ms. Peterson stated that her address in Germany is: Schlossgasse 38, 64331 Weiterstadt, Germany, telephone number 011-496150-590770. She stated her work address is: Patricia Peterson, DODD40X425, APO AB 09050. Ms. Peterson said she is a teacher on the Rhein Main Air Force Base. She said she has been in Germany for 25 years. She said she has known Michael Peterson for 40 years. She stated she has visited Michael Peterson in jail since his arrest. Ms. Peterson said that Michael told her that Kathleen had experienced some blindness in the last year, as well as complaining about pain around her eyes. She said she saw an article in the News & Observer 2 days ago about Kathleen falling at a party and having to wear a neck brace. She said that she was married to Michael for 30 years and that they had separated several times. I asked her why they separated and she would not tell me. Ms. Peterson said Michael never physically abused her. She said that she did not think Michael could lose control enough to kill someone. I then spoke with Ms. Peterson about Elizabeth Ratliff. Ms. Peterson thought the night before Elizabeth Ratliff was found dead in her home, the dinner was actually at her house rather than at the Ratliff house. She said that Elizabeth went home and Michael had left also. Ms. Peterson stated that she could not sleep and could not remember much. She did state that Elizabeth Ratliff had an aneurysm. She said she went to Ratliff's house and saw her body when she was found. I asked her about the contact Michael had with Elizabeth concerning the girls. She stated that George and Elizabeth Ratliff spoke with them before his death about being guardians. She stated that after George's death Elizabeth confronted Michael about it. She said I could find out more about that by calling the Texas court system in Cedar Lane, TX. She said that George Ratliff's mother is named Martha Ratliff. Ms. Peterson stated that Clayton has told her nothing and that Todd told her there were a lot of people in the house after Kathleen was found. Ms. Peterson said that George Ratliff had an uninsured life insurance policy. She said Michael Peterson was on a medical disability from the US Marines. She said that he was involved in a motor vehicle accident in his personal vehicle and he sustained leg injuries and that the incident occurred in Japan. She said it happened during the first 10 years of their marriage. Ms. Peterson said that Michael and Kathleen got married in 1997. I asked her about Michael's sexuality and she denied that he was gay. I attempted to get Ms. Peterson to talk about why they separated and divorced, but she refused to go into that.

This concludes the statement given by Patricia Peterson.

End of Report **
Dear Margaret,

The girls had a terrific time with you, and I thank you very much.

My only concern is with the heavy dose of religion they—Margaret in particular—brought back. It borders slightly on fundamentalist fanaticism that Liz was utterly and absolutely opposed to. I think religion (do bear in mind that I was raised Catholic, and my Italian Catholic background was every bit as strong as your Irish one) is perfectly fine, but too frequently (look at all the religious wars) it gets out of hand, especially when people try to tell other people what to believe. Let me give you an example of how good people can disagree on simple matters, let alone on major matters like religion—I personally find nothing wrong with children watching the TV show The Simpsons, or the movie Gremlins, Part II—in fact, I would much rather them watch that than watch people role models, in the house smoke cigarettes, especially teenagers. I really don't want Margaret to go around quizing people on whether they believe in God, or to smugly and self-righteously tell me that Martha didn't say her good night prayers. I consider that unhealthy and unwholesome.

But let me assure you that the girls had a wonderful time with you, and that I want that relationship to continue.

Patty has been offered a job in Germany, teaching second grade exactly where she did before. I have thought long and hard about this matter, and I have decided to accompany her. She couldn't bring the boys without my approval, and they wouldn't go without me, so for a variety of reasons, I have decided to go over. We will all go over—Patty and I, and the four children, and we will live as a family. Therefore, the matter of giving you the children for adoption becomes a moot point. However, I will explain my reasons for deciding against that anyway.

I cannot agree to any adoption, even if it were in my power to determine that, which it is not—that power lies solely with the Matagorda Court in Bay City, Texas.

There are many reasons I could cite for this decision, but I feel that just one is sufficient, and I will explain that one carefully.

George Ratliff, Jr. died nearly seven years ago, Liz nearly five. For seven years, since Martha was a few months old, and Margaret, still an infant, I have been the sole male figure in their lives, and since Liz's death five years ago, I have been the active father figure. I am the sole continuous link in their lives.

I did not know until I read George's will that I was to be guardian of the children, after his parents. Though close friends, George and I had never discussed this. After his death, Liz changed the order of the guardians. I discussed this carefully with her and she examined all the possibilities of the guardianship for her children—her relatives, and George's, and she decided to make Patty and myself guardians—I to serve if something happened to Patty, and Patty to serve if something happened to me. It was the absolute and conscious decision of Liz to exclude everyone not specifically mentioned in her will.

I have taken this charge of guardianship as a sacred trust. For nearly five years, and even before that actually, I have acted in what I thought was the best interests of the girls. I have loved them, comforted them, counseled, taught, disciplined, nursed them. I have taken them to the
hospital, the dentist, been to plays, recitals, PTA, sat on the school board, and overseen all aspects of their lives. I’ve read them stories, told them jokes, listened to their trials and sorrows and happinesses. They are my children. They call me Dad.

I think it would be erroneously harmful if they thought that their Dad, the sole link in their lives, would give them up, that they were a commodity that could be given to someone else—adopted, passed on. They need continuity. They absolutely need me.

Others serve many functions—you and Connie as their aunts, Tommy and David as their uncles, Martha and your mother as their grandmothers, Marijke as their close friend. But they need the guarantee of someone else, a sister or anchor, and that is my function.

They have a special bond with you. I understand this, and I will foster it. You are an integral part of their lives.

But I can not give them up. They need the stability and love that I can give them. It is to me a matter of duty and honor—and love too.

I have acted as best I can in their interests always. I shall continue to do so—always. I have done this without fail or hesitation for all these years, and I will continue to do so.

You always speak of the special bond that exists between you and the children. I acknowledge this. I wonder however if you don’t fail to see the special bond that exists between them and me also—it is as solid as life can be, forged by happiness and tragedy, tested by all manner of trials.

I have always been struck by the love both sides of the family have shown Margaret and Martha, and it is so important for them, something that I will do everything I can to foster and promote—the ties between the girls and both you and the Ratliffs.

I feel profoundly close to the Ratliffs and consider them a part of my own family and life. They have never failed to thank me or show appreciation for my efforts though that has not been necessary or needed, but I am grateful for their support and will always act in their best interests also.

In all the years I’ve had with Margaret and Martha, I don’t think anyone in Rhode Island—you, Jim, your Mother, or Rosemary has ever acknowledged or extended appreciation for my efforts. I assure you that it is unnecessary, but I think it explains the failure of your understanding of my deep commitment to the girls—if you can’t appreciate it, you probably don’t understand it either.

You see, in essence, you are asking me to step aside as Father to the children I have cared for and loved for seven years and let someone else take my place, someone who has never indicated the slightest interest in that role. I know that you want to be their mother, but they already have one—Patty, and they have me as their Father. What they need is for you to be their Aunt Margaret.

Believe me, if I thought that it would be better for Martha and Margaret to live with you, or that you could better raise them, then I would step aside, but deep in my heart I believe that I am the best person to mould and guide them—and love them too.

Sincerely yours,

18 July 1990
Inventory, appraisement, and list of claims
for Estate of Elizabeth A. Ratliff

I. COMMUNITY PROPERTY
   none

II. REAL PROPERTY
    none

III. Personal Property

   A. Bonds—United Service Automobile
      Association—San Antonio
      Face Value: 25,000
   B. Jewelry: 600
   C. Household goods: 10,000
   D. Percheron Group Certificate
      for Pine Trees in Australia
      Face Value: 8,500

Total Value of
Personal Property: $44,100

IV. List of Claims

   A. Lease on residence at 11 Nordend
      Strasse, Grafenhausen, West Ger-
      many, contract signed by Eliza-
      Payments on lease from Nov.
      Total payments—12,800 Deutsche
      Marks, converted to $5,820
   B. Lawyer's fee to Werner Norstadt
      to prevent eviction of Margaret
      and Martha Ratliff after the
      death of Elizabeth A. Ratliff.
      Legal fees of 1,440 DM
      $650
   C. Cleaning, painting to residence,
      and all costs incidental to
      closing out residence. 500 DM
      $240
   D. Telephone bill. 550 DM
      $260
   E. Utilities for residence—gas,
      water, electricity from Nov. 1985
      through June, 1986 7,960 DM
      $3,618
F. Housekeeper/Nanny. Barbara O'Hare provided all care for the children seven days a week--living in the residence--cleaning, cooking, washing. Ms. O'Hare was hired by Mrs. Ratliff in January, 1984. I maintained her as the housekeeper/Nanny and paid her 500 DM per week, plus 1 gave her three months severance pay after two and a half years service. Total payments to Ms. O'Hare were 23,500 DM. $10,600

G. Kindergarten costs for Margaret Ratliff. 40 DM per week for six months: 960 DM

H. Furnace Repair to Beck, Hans Jurgen Gas und Wasserinstallation. 1,389 DM

I. American Express Bill

J. VISA bill

K. Misc. bills to charge cards and other debts (Spiegels, Bloomingdale, Post Exchange)

L. Automobile repair to Autohaus Necas for BMW repairwork contracted by Elizabeth Ratliff. 427 DM

M. Automobile Insurance to USAA for required insurance on automobile

N. Dental payment to Dr. William W. Simkins, D.D.S. for long overdue bill for repairwork to Elizabeth A. Ratliff. 1,875.00 DM

O. Estate Expenses

1. Funeral Expenses and marker to Bay City Funeral Home

2. Administrators expense for roundtrip airfare from West Germany to Texas, hotel, and rental car

3. All costs of returning children from West Germany to United States, including airfare for children and guardian (round trip back to Germany), and all costs of flying children to Rhode Island and Texas, and final return to permanent home in Durham, North Carolina,

MP-5907
including payments for care of girls ($1,000 to Margaret Blair, children's aunt, and $500 to Martha Ratliff, children's grandmother). $3,650.

4. All costs of trip by Executor/Guardian to West Germany, in September, 1986 to defend against lawsuit brought by landlord against estate for 32,000 DM, not including 12,000 DM frozen by court in action brought against Executor. Cost of roundtrip airfare, hotel, food, car rental, and engagement of Dr. Franz Bond, lawyer to defend against suit. $1,500.

5. Cost of moving all estate household goods into permanent storage to include crating, packing and transfer. $2,961.30.

P. Executor/Guardian's fee $0.

Total claims against the Estate of Elizabeth A. Ratliff $39,511.68.

V. Estate of Estate Interest Claims

A. United Services Automobile Association bonds, $60,000, plus interest. $63,337.30.
B. Sale of 1977 BMW. $1,000.--.
C. American Express Military Bank checking account # 0041944527. Savings account # 0047068221. $62.70. $94.40. Mather Federal Credit Union checking account # 92653-5-9. $17.28.

VI. Value of Estate after claims paid

A. Cash Assets $64,511.68. Claims $25,000.00. $25,000.00.
B. Jewelry $600.00.
C. Household Goods $10,000.00.
D. Ferechon Certificate $8,500.00.

Total Value of Estate $44,100.00.
Barbara Malagnino

Dear Mr. Holland,

In connection with Mr Mike Peterson.

Dear Mr. Holland you are well aware the task you have given me has not been an easy one, my thoughts are running wild and I'm feeling very uneasy with all this, which it asked is of no surprise to me at all. Ok where do I start. In 1982 I became employment in Germany with an awful, awful American family this unhappy situation only lasted to my relief three weeks. During this time I met Mrs. Elizabeth Ratliff. Mrs. Ratliff offered that I stay at her home until I could fly home. I in return looked after house and kids from Mrs. Ratliff while she worked on the Rhein Main Air Base, we got on great and she asked me to stay as she needed same one. I gladly accepted. Mrs. Ratliff was a very depressed woman and she had just lost her Husband in what we thought was the Buret Bombings, she was now alone with her kids in Germany and only a few friends. One very close family friend was the family Peterson. Mr Mike Peterson was confronted with all our family problems, he was our adviser in all aspects of living life, he in matter of fact made most of our family decisions. A good functioning working relationship of three years Mike decided it was only fair on me to become my own apartment and that Liz should pay for this as he felt I needed more free room for friends and private life which was practically non-existent at the Ratliff home due to Liz's deep depressions. I was so happy I found a flat in the next village with the understanding from Liz that her home was still mine and my room remained for me when ever I felt I needed to stay over. This worked out great the kids came some week ends to me like a small holiday, and my job during the week remained the same as before. Mike also visited me in my apartment, he was a person I had grown to love and respect we had a very close friendship, he was always had an open ear when I felt I needed to talk and he understood me," not that he always agreed but he was there. In October and November of 1985 Liz was scared of being alone at home she asked me often to stay over at the week ends for the company as she was scared. This I did on the week end of Liz's death. I spent in my bedroom the Friday and Saturday night she was so happy just like old times. On the Sunday I went home as I needed clean clothes and I wanted to see if all was ok in my apartment. Liz was sad but she understood me.
work as they both worked in the same school on the American base. On the Monday morning I got up and ready as normal, my Tax was ordered as if it had been snowing the night before and I was unable to cycle with my bike. My taxi driver was Mr Salvatore Malagnino later to be my husband. As my taxi entered Im Nord end where we lived I knew some thing was wrong the lights in Liz's home were on all over rooms which she never used like the living room as she could not stand to see Georges things her late husband this depressed her deeply. On entering the house I was confronted with a large puddle of blood on the floor and blood all over the walls at the bottom of the stair case, there was also a body lying with legs and feet on the stairs, at this point I did not know who this was. I ran up the stairs calling Liz I Liz I are you ok she was not there, strangely the kids were both fast asleep which for Margot was unusual, I entered the bedroom from Liz and took the phone out she was always took the phone to bed with her. I tried to phone Mike but our phone lines were dead I think because of the amount of snow which we had over night. In the frantic few seconds that all this had taken place I was now awar that my Taxi was still out side, I ran down the stairs only then when I saw the feet between my legs on the third stair from the bottom did I realise that this body was Liz, she had which was very untypical for her still snow boots on. I ran outside to my taxi driver and telling him to call an Ambulance and the Police, I then ran back in the house and took Liz in my arms I could feel she was warm and I felt the open wounds on the back of her head, I lay her down again and ran over to the Peterson house hold, Patty answered the door I told her between my tears that something had happened to Liz and that Mike should come straight

between my tears that something had happened to Liz and Mike was about to come the first day away he must have heard me from upstairs as he came running down to a him to hurry he needed to come over to our house that Liz was all covered in blood he reacted very quickly and we ran back together, Mike went over Liz to see how she was and I ran up the stairs to see if it was still ok with the kids, they were to my armament still asleep, I went into the upstairs bathroom as I felt I needed to vomit, Mike came in and took me by the arm and told me Liz was dead and that he needed a bed sheet to cover her, I screamed no this is not true I felt her and she was warm he consolated me by saying that was the floor heating and not her body warmth, I pulled myself together enough to take the little girls still half asleep down the back fire exit stairs to a neighbor and friend house. I then returned to the house as the German police and Ambulance were there trying to tell me that was already reported to the Military Police and that they were on their way, that there had been an accident, they asked a few questions and promptly left. The German police where circa 15 to 20 min in Liz's house was so finished inside some one some where had come in and did something to calm me down and for the next few hours after this I was like walking in a trance. Mike came back at some point telling us all Liz had a Cerebral hemorrhage which I immediatly refused to believe another autopsy was carried out giving the same awful unbelievable results. I told all in the days that follow were my thoughts and tears but no one seems to listen to me all must have thought I was crazy. A few days after the death of Liz I moved back in to Liz's house to be with the girls so they at least in her little lives be stable as much as I could offer them. Mike was happy about this and gave me even a pay rise. Mike took care of all financial affairs from Liz, had nothing to worry about he even went and shopped on base for us all. During the time I was living in the house alone I would hear things in the night as if some one was prowling around even saw that things on Mr Ratliff's desk were moved around as if some one was looking for something I knew this because I set the desk up when we moved in to this house, one morning I woke and found ound stairs that my living room door to the garden was open.

Dear Mr

Roland, I hope you can understand my very bad English and my terrible spelling I never have the opportunity to check my own mother tongue any more and as I write this I notice how bad it's gotten. I also hope I could be of help to you if you need me at all I will be glad to help any way I can if you need me there I will come, as speaking and answering your questions may be easier for me. Please Please Mr Roland get to the bottom of all this for my friend Liz sake and the future to come.

Vic & Gris

Barbara Malagnino.
Dear Detective Holland,

I apologize for the delay however I have been swamped at work with emergencies and my husband has been called away alot with his work. If you have any questions you may email me or call. We will be leaving for vacation on Friday and will not return till April 8.

My husband and myself were stationed in Germany on USAF orders. We lived at An der Obermühle 16, Weilerstadt 2, behind the Peterssons and down the street from Elizabeth Ratliff whom we called Liz. Liz had come to live there at the death of her husband as she was friends with Fatti Peterson and myself. Our husbands had flown together in their squadron up till the time of George Ratliff's death. Liz was a school teacher for GOARDS and she had a nanny Barbara O'Mara who cared for her two young girls.

We were summoned by Ms O'Mara who was frantic and insisted that we come to Liz's home. We followed her and found Liz laying face down at the bottom of the stairs. Barbara had found her there when she had arrived for work. The two girls were still in bed. Salvatore Malagnino was also present as he was the cab driver who drove Barbara to work that morning. Someone had covered Liz with a coat and because I was a high risk pregnancy they tried to keep me from looking at Liz. Liz was laying at the bottom of a wooden open staircase that went up about 10 feet to a landing and then another 6 feet to the top floor. That is where the bedrooms were and where the girls were sleeping. Three called down from the window landing there was blood splattered on the wall which if you were standing on the 3rd stair would have been about shoulder height. It was splattered not rubbed and there were drips of blood one drip I remember was approximately 6" long.

While we were there the German police arrived and they used a syringe to remove fluid from her spine. No one spoke to my husband or myself, even though I spoke German. We were later told that Liz died of natural causes. However, we were both uncomfortable with that as we believed the scene of death was suspicious.

Amybeth Laurie Berner
Bruce Alan Berner
397 Main St
Lumberton, NJ 08048

MP-6722
OFFICIAL DOCUMENTATION ABOUT ELIZABETH RATLIFF'S DEATH

CERTIFICATE OF DEATH (OVERSEAS)

NAME OF DECEASED (Printed and Signed)
RATLIFF, ELIZABETH A.

ADDRESS OF RESIDENCE
RHINEHAUSN ELEMENTARY SCHOOL
APL 09357

NATION
UNITED STATES

DATE OF BIRTH
3 NOV 42

SEX
FEMALE

RACE
WHITE

BRANCH OF SERVICE
DODDS

SOCIAL SECURITY NUMBER
037-28-5923

MOTHER
MARGARET McKEE
167 MARSHALL AVE
CUMBERLAND R.I. 02864

RELATIONSHIP TO DECEASED
MOTHER

DATE OF DEATH
1139 hrs 25 NOV 1985

CAUSE OF DEATH
CEREBELLAR HEMORRHAGE

INTERNAL EXAMINATION OF BODY

PLACE OF BURIAL
11 AM NORDEND, GRAFENHUSEN, FRG.

SIGNATURE OF PERSON QUALIFIED TO CERTIFY
RICHARD B. MOORE
M.D.

OFFICIAL COPY

DD FORM 2064

REPLACES DA FORM 3669. 1 JAN 72 AND DA FORM 3669-P(AS), 25 SEP 76, WHICH ARE OBSOLETE.
DEPARTMENT OF THE ARMY
ALEXANDRIA, VIRGINIA 22331-0400

REPORT OF CASUALTY

REPORT NUMBER AND TYPE: C-9028

SERVICE IDENTIFICATION: Name: Ratliff, Elizabeth Ann; Social Security Number: 037-25-5923; Grade or Rate: GS-11; Command: RHEIN MAIN ELEMENTARY SCHOOL, GERMANY

CASUALTY STATUS: (A) Non-Battle (B) Battle: (C) See Remarks

STATUS: (D) Death (E) Missing (F) Missing in Action (G) Captured (H) Other

DATE: 25 November 1985

PLACE: Germany

CIRCUMSTANCES: Cerebellar hemmorhage

DATE AND PLACE OF BIRTH: 3 November 1942; Pocatakeet, RI

RACE: White

SEX: Female

RELIGIOUS PREFERENCE: Catholic


INTERESTED PERSONS (Name, Address, Relationship):
Elizabeth McKee, 167 Marshall Avenue, Cumberland, RI 02864: Mother
Margaret E. and Marsha E. Ratliff, c/o CPT Michael Peterson, Am Muhlbach #16, 67108, Weiterstadt 2, Germany: Daughters

REPORT FOR VA TO FOLLOW: NO

REPORTING COMMAND AND DATE: Department of the Army Civilian Employee, Schmetzingen, Germany 26 November 1985

DEATH CERTIFICATE

SIGNATURE ELEMENT: BY ORDER OF THE SECRETARY OF THE ARMY:

REGULATIONS:
1. This certificate is issued in accordance with AR 88-100
2. The name and address of the Department of the Army Civilian Employee is provided on the back of this certificate.

REPLACED BY DEPARTMENT OF THE ARMY REGULATIONS
REPORT OF THE DEATH OF AN AMERICAN CITIZEN ABROAD

AMERICAN CONSULATE GENERAL, FRANKFURT/MAIN, GERMANY, December 22, 1985

SSA No. 037-28-5923

Name in full. . . . Elizabeth Ann RATLIFF

Date of Birth. . . . November 3, 1942, in Rhode Island

Evidence of U.S. Citizenship USPTO No. Z4065295 Issued Aug. 3, 1981, in Frankfurt/Main, FRG

Address in U.S.A. 167 Marshall Ave., Cumberland, R.I. 02864

Permanent or Temporary Address Abroad. Am Nordend 11, 6108, Weiterstadt, 2, Germany

Date of death. . . . November 25, 1985

Place of death. . . . Am Nordend 11, 6108, Weiterstadt, 2, Germany

Cause of death. . . . Cerebellar Hemorrhage, according to Capt. Richard H. Moore, M.D.,

at 4th General Dispensary, Darmstadt, APO 96175

Disposition of the remains. . . . Remains returned to Cedar Rapids, Iowa, for burial.

Disposition of the effects. In custody of Mr. Michael Peterson or Mrs. Patricia Peterson

appointed Survival Assistance Officer, by 406 Dep. School, at Am Mühlbach 16

Person or official responsible for custody of effects and accounting therefor. 6108, Weiterstadt, 2, FRG

Traveling/residing abroad with relatives or friends as follows:

NAME / ADDRESS

Informed by telegram or telephone

NAME / ADDRESS / DATE SENT

Copy of this report sent to:

NAME / ADDRESS / DATE SENT

Mr. and Mrs. Peterson
Am Mühlbach 16

Mrs. Margaret McKee
167 Marshall Ave.

Mr. George Ratliff
Rissee Island 02864

Box 101, Cedar Lane, Texas 77435

Notification or copy sent to Federal Agencies: SSA, NA, VA, CSC Other

The original copy of this document and information concerning the effects are being placed in the permanent files of the Department of State, Washington, D.C. 20520.

Remarks. . . . Above cancelled passport returned to Mrs. Peterson.

(Continue on reverse if necessary.)

Thomas J. Rice

Consul

## Autopsy of Elizabeth Ratliff

### Clinical Record

<table>
<thead>
<tr>
<th>Date and Hour Died</th>
<th>A.M.</th>
<th>Date and Hour Autopsy Performed</th>
<th>A.M.</th>
<th>Check One</th>
</tr>
</thead>
<tbody>
<tr>
<td>25 November 1985</td>
<td>1159</td>
<td>27 November 1985</td>
<td>1300</td>
<td>XXX</td>
</tr>
</tbody>
</table>

**Prosector:** LARRY A. BARNES DO, MAJ, MC  
**Assistant:** DERRICK M. FOREN, SF4

**Clinical Diagnoses:**
- 43 year old white female found at 0745, 25 November 1985 lying on stairs. History of Von Willebrand disease and complained of severe headache for previous 2 weeks. No signs of struggle, no personal effects removed from scene. Initial investigation by German emergency doctor found bloody spinal fluid, case consistent with intracranial bleed and subsequent scalp laceration sustained by fall onto steps.

### Pathological Diagnoses

**Cause of Death:** Intracranial hemorrhage, cerebellar-brain stem secondary to Von Willebrand coagulation abnormality.

**Secondary Findings:**
1. Mild chronic acute hepatitis.
3. Scalp lacerations secondary to terminal fall.
4. Toxicology pending. An addendum will be filed if pertinent.

**Autopsy Protocol**

<table>
<thead>
<tr>
<th>Military Organization (Service)</th>
<th>Age</th>
<th>Sex</th>
<th>Race</th>
<th>Identification No.</th>
<th>Autopsy No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dep Wife USAF (dec)</td>
<td>43yr</td>
<td>Female</td>
<td>White</td>
<td>458-74-2039</td>
<td>A-83-77</td>
</tr>
</tbody>
</table>

**Patient's Identification (For type of writing entries give Name—initial, Sex, middle; date; hospital or medical facility):**

**Ratliff, Elizabeth A. D/W**  
Dr. Burnes/wdb
GROSS AUTOPSY PROTOCOL

The body is that of a slightly cachetic white female appearing the stated age of 43 years; it measures approximately 68" in length and is estimated to weigh 130lbs. Rigor mortis is moderate. Dependent livor is apparent over the dorsum. The skin is normal. The head is symmetrical and shows multiple deep lacerations over the posterior and parietal areas. The hair is in usual distribution with dried clotted blood. The sclerae and conjunctivae are clear. The pupils are round and unequal, the left approximately 6mm. No exudate or blood is visible at the nose or ears. The teeth are in good repair. The tongue is in the midline and not enlarged. There are no palpable masses in the neck. The trachea is in the midline. The chest is symmetrical. The nipples and breasts are normal to inspection and palpation. The abdomen is flat and no organs or masses are palpable. The external genitalia are unremarkable. The pubic and axillary hair distribution is normal. The extremities are symmetrical and free from edema or varicosities. The joints are not deformed. Examination of the back shows no spinal deformity or decubital lesions.

BODY CAVITIES

The body is opened with the usual Y-shaped incision. There is no pneumothorax bilaterally. The fatty panniculus at the umbilicus measures 1cm. in thickness. The abdominal and thoracic muscles are grossly unremarkable. The ribs are intact. The breast, on section, show no gross abnormalities. The peritoneal cavity is free of fluid or adhesions. The abdominal organs are in their normal positions. The diaphragm is normal. There is no hiatus hernia. The mediastinum is in the midposition and of normal contour. The pericardial sac contains a minimal amount of serous fluid. The pleural cavities.

CARDIOVASCULAR SYSTEM

The heart is of the expected shape. The atria are normal in size and free of thrombi. The foramen ovale is patent-patent. The right and left ventricles wall. The valve rings are normal. The valve leaflets are delicate and pliable. The pericardium is shiny with a normal amount subpericardial fat. Endocardium is thin and glistening. The chordae tendineae are slender. The myocardium is brown-red and of average consistency. The coronary arteries are of normal caliber and distribution and the main branches reveal no sclerosis. There are no occlusions. The superior and inferior caval veins and major tributaries are grossly unremarkable. Blood cannot be expressed from the veins of the lower extremities in this case. The aorta shows slight atherosclerosis. The major bronchi are unremarkable.

RESPIRATORY SYSTEM

The lungs are essentially similar in appearance, of average size and shape, and collapse easily upon entering the thoracic cavity. The pleural surfaces are smooth and shiny. There is slight anthracotic pigmentation of the visceral pleura. The parenchyma fails to show any areas of consolidation or disruption. The larynx, trachea, major and segmental bronchi are of average caliber. The mucosa is pink and glossy and the lumen contains no unusual amount of secretions. The pulmonary artery and its major branches do not show any occlusion of the lumen, and the intima is smooth and shiny. The bronchial and mediastinal lymph nodes are not enlarged and show minimal anthracotic pigmentation.
ENDOCRINE SYSTEM

The pituitary is of average appearance and consistency. The thyroid is of average shape. On section, the parenchyma is uniformly tan-brown. The adrenals are similar in appearance. The cortices are yellow and of the normal thickness.

MUSCULOSKELETAL SYSTEM

Voluntary muscle groups are symmetrical, firm and red-brown. Cortical and medullary bone of the ribs, thoraco-lumbar vertebral spine and calvarium show no unusual sclerosis or softening. No focal lesions are found. There are no abnormal curvatures of the spine. Intervertebral osseous bridging is absent.

LYMPHOPITUITARY SYSTEM

Lymph nodes are normal in size and on cross section are tan and soft. The thymus is not identified.

MEAT

The brain weighs approximately 1300gms. The calvarium is composed of normal membranous bone of the expected thickness, no fractures are found. The dura strips easily from the calvarium and is grossly bloody in the posterior areas. The cranium contains about 100ml of fluid blood. The lower brain is removed down to the level of the lower medulla. The tentorium is hemorrhagic. The cerebral hemispheres are symmetrical and the leptomeninges are clear and blood tinged. Blood vessels at the base of the brain are unremarkable. The cerebellar lobes show indentation consistent with herniation. Tissue destruction is present when the cerebellar hemispheres join the brain stem, approximately 2cm greatest diameter. No definite site of vessel rupture is found. Blood fills all the ventricles and the spinal canal. The cervical spinal cord is surrounded by blood but appears grossly intact.

MICROSCOPIC DESCRIPTION:

Sections from the area of hemorrhage at the cerebellar, brain stem junction (slide 1) show hemorrhage and tissue destruction. There is early consolidation of the hemorrhage but no clot formation is seen.

Sections of liver (slide 2) show increased chronic inflammation in portal area. There is focal extension across the limiting plate but no hepatocellular necrosis is seen. The hepatocytes are uniform except in the areas of inflammation where they show reactive changes.
MICROSCOPIC DESCRIPTION (cont.):

Myocardium on the same slide is unremarkable. Sections of kidney (slide 2) show glomeruli of normal cellularity. The proximal tubular cells are autolytic. There are focal, small accumulations of lymphocytes scattered throughout the cortex.

[Signature]

LARRY A. BARNES DO, MAJ, MC
Seminar 8

DEPARTMENT OF DEFENCE RECORDS

CURRENT OPERATIONS CENTER
DATE: 26 Nov 85

ITEM BEING PREPARED
NO ITEM

REVIEWED BY: Capt. Harvey

CLASS E FT O FOUG

SUBJECT: A DOD CIVILIAN EMPLOYEE WAS FOUND DEAD IN HER OFF-BASE
SUCIDE NEAR RHEN MAIN AB GE

MANNER OF DEATH: A DOD SCHOOL TEACHER WAS FOUND DEAD IN HER
APARTMENT RESIDENCE AT KAMPENHAUSEN GE, OF APPARENT NATURAL CAUSES
DECEASED FOUND BY BABY-SITTER AT 0730, 25 NOV 85
DECEASED WAS THE WIFE OF A USAF OFFICER
RESPONDING GERMAN AUTHORITIES NOTIFIED US ARMY CIOSC
ON-SCENE DETERMINATION BY GERMAN AUTHORITIES INDICATED DEATH BY
APPARENT NATURAL CAUSES AT APPROX 0830, 25 NOV 85

GERMAN DOCTOR DETERMINED AT SCENE THAT DEATH CAUSED BY CEREBRAL
MORROGE

NO INDICATIONS OF FOUL PLAY

DECEASED REMAINS REMOVED FROM SCENE UNDER US ARMY AUSPICES
MANAUTHORITIES ARE NOT CONDUCTING AN INVESTIGATION. RMAK PDA
IS NOT EXPECTING LOCAL PUBILCITY

INFORMATION PROVIDED TO SA DAVE AKERMAN, US STATE DEPT/RSO, GS-13
LPFANDO, DD/DEPENDENT SCHOOLS, RMAK, AND RMAK COMMANDER.

FINAL DATA: BASE COMMANDER DID NOT REQUEST AFOSI INVESTIGATION.
ACTIVITY ANTICIPATED BY THIS OFFICE. THIS INFORMATION
SHARED WITH SA ERIC WHITE, DCTG/IVIG AND SA SCOTT DEACON,
0/IVIGF.

MP-5926

***************

DEPARTMENT OF DEFENCE RECORDS

PAGE 01

RUDACA/1767
CONSULTATION REPORT ON CONTRIBUTOR MATERIAL

AFIP DIAGNOSIS:
1. Sudden unexpected death due to spontaneous intracranial hemorrhage complicating von Willebrand's Disease; natural; 43-year-old white female found dead in her quarters 25 November 1985, Germany.
2. Diffuse subarachnoid hemorrhage (no origin identified).
3. Chronic active hepatitis.
4. Toxicology: Negative.

We have received the autopsy protocol, slides, blocks and tissue. This case has been reviewed and coded in agreement with your findings.

Report by:

MICHAEL A. CLARK, Ph.D., M.D.
Commander, MC, USN
Chief, Division of Forensic Pathology

Robert R. Menzner, M.D.
Colonel, MC, USA
The Director

MP-5781
Cheryl Appel-Schumacher, friend of Elizabeth Ratliff

- She and Liz became friends in Germany while teaching together on a military base. George Ratliff was a US air force pilot, while Liz was a teacher in a school for children of American service personnel. The Petersons were the Ratliffs’ neighbours and friends, as were the Berners. The Appel-Schumachers were in this group of friends. There was no indication there was any romantic relationship between Michael and Liz. The Ratliffs had two children: Margaret and Martha.
- George died in October 1983 while on a classified mission. Liz was devastated by his death and Michael stepped in and helped her with various matters, including having George’s body sent to Texas for burial. She couldn’t handle financial and personal matters, so Michael took care of those things. He became Liz’s spokesperson for George’s investments and handled the payment of bills and her affairs. They talked often about finances. This continued for a long time. Liz began feeling better in the fall of 1985.
- On the Thursday before she died, Liz looked pale and said she had an intense headache and had made an appointment to see a physician a week later. She held a surprise party for the Appel-Schumachers (who had recently married) on Saturday 23 November 1985. She had had severe headaches before the party, but felt good after it. It snowed that weekend.
- The Appel-Schumachers arrived at 9am on Monday 25 November 1985 after learning of Liz’s death and met the Berners, the Petersons and Barbara Malagnino, as well as German medical authorities. Liz was still lying at the bottom of the staircase, covered by a coat. Barbara was hysterical. Amybeth Berner spoke German well and spoke with the Germans. Michael did not speak German well and spoke with the Americans. Michael did not hinder the investigation.
- There was a lot of blood but no photos were taken. They observed blood in the foyer area and in the staircase, including all the way down the wall that was on one side of the staircase. There was a pool of blood under Liz’s body. After Liz’s body was removed and the authorities left, several people cleaned up the stains.
- Liz had been concerned that Margaret and Martha would inherit a genetic disorder similar to haemophilia that causes uncontrollable bleeding.
<table>
<thead>
<tr>
<th><strong>Tom Schumacher, husband of witness Cheryl Appel-Shumacher</strong></th>
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<tbody>
<tr>
<td>▪ He broke the news to his wife about Liz’s death.</td>
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<tr>
<td>▪ Remembered a pool of blood under Liz’s body and recalled helping his wife clean the blood. There appeared to be a lot of blood splashed in different places in the foyer, including the staircase wall.</td>
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<thead>
<tr>
<th><strong>Claudia “Billie” Allen, current resident of the Ratliffs’ former home in Germany</strong></th>
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</thead>
<tbody>
<tr>
<td>▪ Moved into the Ratliffs’ old house in April 1990.</td>
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<tr>
<td>▪ The house is heated via a system of tubes under the floor of the house.</td>
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<tr>
<td>▪ Gave the court a note from a physician, saying that Karen Hamm was unable to travel due to surgery.</td>
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<thead>
<tr>
<th><strong>Karen Hamm, neighbour of the Ratliffs in 1985</strong></th>
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</thead>
<tbody>
<tr>
<td>▪ Did not attend the courtroom, but Judge Hudson ruled that a note from her to be read to the jury.</td>
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<tr>
<td>▪ The note said that, on the evening of 24th November 1985, she looked out of her daughter’s bedroom window and saw Michael leaving the Ratliff house in a hurry.</td>
<td></td>
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<tr>
<td>▪ The note never went to the jury because the prosecutors said that that they could not locate a translator in time.</td>
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<tr>
<th><strong>Larry Barnes, pathologist</strong></th>
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<tbody>
<tr>
<td>▪ Performed an autopsy on Liz shortly after her 1985 death. He is a pathologist but not a forensic pathologist; his field was reviewing deaths from natural causes. He was involved in only a few forensic autopsies, which concerned vehicular trauma but not blunt force trauma.</td>
<td></td>
</tr>
<tr>
<td>▪ Observed multiple lacerations on Liz’s head but ruled her death a result of natural causes given her history of headaches, a clotting disorder and being informed by German authorities that they had found bloody spinal fluid. Tissue slides were reviewed by the Armed Forces Institute of Pathology, which confirmed Barnes’s findings.</td>
<td></td>
</tr>
<tr>
<td>▪ He would have asked a more qualified pathologist to examine the case if foul play had been suspected. He recalls replacing Liz’s organs in her body cavity for burial. He said her brain weighed 1300 grams.</td>
<td></td>
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<tr>
<th><strong>Margaret Blair, Elizabeth Ratliff’s sister</strong></th>
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<tbody>
<tr>
<td>▪ She learned off Liz’s death through a phone call from Michael. He told her the Petersons had dinner with Liz, Margaret and Martha and he walked her home the night before her death and helped put out the rubbish. He also said that there was only a small amount of blood, just behind Elizabeth’s ear.</td>
<td></td>
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<tr>
<td>▪ Liz never wore shoes in her house.</td>
<td></td>
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<tr>
<td>▪ Liz’s will provided for the Petersons to acts as guardians for Liz’s daughters. She was not aware of this before Liz’s death. Michael told her that he had drawn up the will for Liz and was the will’s executor. Once the estate was settled, her family did not receive any of Liz’s property from Michael.</td>
<td></td>
</tr>
<tr>
<td>▪ Described her sister as being very close to the Petersons, and was not surprised they were designated as the guardian for her nieces. She later sought to adopt Ratliff’s two daughters and Michael’s ex-wife told her in 1991 that she could, but the Petersons later changed their minds.</td>
<td></td>
</tr>
<tr>
<td>▪ Agreed to have her sister’s body exhumed for re-examination. Identified her sister and her wedding dress from a photo taken after the exhumation.</td>
<td></td>
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</tbody>
</table>
Stephen Lyons, former special agent, US Army criminal investigation dept.
- Investigated Liz’s death in 1985 for the US Army. The Germans had jurisdiction and he had little or no experience investigating homicides.
- He arrived at about noon on 25th November 1985 with an interpreter. There were lots of people milling about, too many for a scene of that type. Liz was lying on the landing at the bottom of the stairs in a pool of blood around her head. He does not recall seeing any blood on the stairs or walls.
- He did not examine the body or conduct any interviews. He did not have much to do except be available to the Germans.
- German police informed him the cause and manner of death was a cerebral haemorrhage, and that it was accidental. He obtained a good deal of information at the scene from a male witness — whose name he can not remember — who told him that Liz had been complaining of severe headaches in the weeks before her death.
- He accepted the conclusion that Liz had died by accident.

Barbara Malagnino, the Ratliff family nanny
- In 1984, she became a nanny for Margaret and Martha Ratliff, who were four and two when Liz died in 1985. She had a room at the Ratliff house but also had an apartment where she stayed some nights.
- She spent the weekend of 23/24 November 1985 with the Ratliffs, but spent Sunday night at her apartment. Liz planned on spending the day with her children and then taking her car for a service. Michael was to bring Liz home after dropping off her car.
- She came to the Ratliff house at 7.15 a.m. on Monday 25 November 1985. Liz would usually leave for work at 7.40 am; she was supposed to ride with Patty that morning. She noticed that all the lights in the house were on: kitchen lights, hallway lights, even the rarely used living room lights. This was unusual. Liz always locked up at night and the lights would be turned off for bedtime.
- The front door was locked. She used her key to get in. Discovered a body in the staircase lying in a pool of blood. The blood was everywhere. She ran upstairs yelling Liz’s name but then recognised Liz and noticed that she was wearing yellow snow boots and a red pullover.
- She immediately ran to the nearby Peterson house for help. Michael was with his then-wife and was wearing boxer shorts and a t-shirt. She told Patty something terrible had happened. She also ran to the Berners’ home and told them to come.
- Michael returned to the house with her, and checked on Liz and told her she was dead. She covered the body with a sheet and noted that the body was warm to touch. Michael said: “She’s not warm, Barbara, she’s dead. The warmth comes from the floor heating.”
- The doors were locked and there was no sign of a forced entry. It did not appear that anyone had gone through things in the house. The girls were still asleep upstairs. Nothing had been set out in preparation for breakfast (which Liz usually did the night before.) Liz’s telephone was upstairs, where Liz put it every night before going to sleep.
- Later that day Michael told her Liz’s death was due to a cerebral haemorrhage and was an accident.
- Michael took care of the affairs of the Ratliff household following Liz’s death.
- Identified the ‘Chat Noir’ print in the staircase at 1810 Cedar Street as coming from Liz’s house.
Amybeth Berner, friend of Elizabeth Ratliff

- Was a neighbour and friend of the Ratliffs and the Petersons while living in Germany. Around the time period before Liz’s death, she saw Liz on a daily basis and said she appeared to have a positive attitude.

- When the Berners arrived at the scene, the Petersons and Barbara were present. Michael told them that Liz had had a brain aneurism and fallen down the stairs. When she saw the scene, it “didn’t look right”, because there was blood on the walls and floor and a bloody footprint near the body. She asked about the footprint and told people not to disturb the “crime scene.” She later learnt that the footprint belonged to Barbara Malagnino.

- She left to call Tom Appel-Schumacher and then returned. The German authorities arrived shortly afterward. She spoke with them. Michael told them that this was an accident, this is an American family and it has already been reported on base.

- Liz was lying on the floor on her right side with her knees pulled up. Her head was soaked in blood. There was a lot of blood on the floor and walls. Some of the blood spots were like a very light spray and high up. Drips appeared to be splattered. She could not understand how the blood got up so high. She assumed that the German authorities would examine the wall and so did not say anything to them about her concerns. She was told later that day that Liz’s father had died ten years earlier of an aneurism.

- At the time, she was pregnant and people had shielded her from the scene. Some of her memories were really flashbacks she had recently had of the scene.

- Michael once told her that he had connections and could have a woman involved in litigation against Berner’s husband killed if she wanted. He also told her that he was once in the CIA and had someone murdered ‘point-blank’ in Vietnam.
Instruction of Evidence Relating to the Death of Elizabeth Ratliff

Evidence was presented to you regarding the death of Elizabeth Ratliff in Germany in 1985, which was offered by the State for the purpose of attempting to show:

1) That Defendant had the intent which is a necessary element of the crime charged in this case;
2) That Defendant had the knowledge which is a necessary element of the crime charged in this case; and
3) The absence of accident in the death of Kathleen Peterson, the case in which defendant is presently charged.

Before you consider the evidence relating to the death of Elizabeth Ratliff for any of the limited purposes for which it was offered, you must first determine whether in fact the State has established its contention that (a) Elizabeth Ratliff was the victim of a homicide and (b) that Michael Peterson was the perpetrator of that homicide. If you do not find that the State has satisfied you of the truth of these contentions, you should ignore the evidence relating to the death of Elizabeth Ratliff, and give it no weight in assessing whether the State has met its burden of proving beyond a reasonable doubt that Michael Peterson is guilty of the first degree murder of Kathleen Peterson. If you are satisfied that the State has proved its contentions, you may then consider this evidence, but only for the limited purposes that I have explained.