

Review of Autopsy on Background

Victor Weedn

3.22.2018

I just got off the phone with Victor Weedn, the forensic pathologist who reviewed the file. You can review his answer below. On the phone, he was a bit more forthcoming. He said that there is a discrepancy between what was found in the preliminary results and the final autopsy. The initial finding was "contact wound," which means that the muzzle was held directly against the body at the time of discharge (which would usually only happen on purpose -- i.e. suicide/homicide). In the final report, she says "close range," which means that he was shot at close range...a small but perhaps significant difference as it would permit the jury to buy into the accidental theory.

He said that autopsy isn't going to tell you much about the circumstances, nor does it rule out foul play. He said what you could do if you believed he shot himself on purpose, is measure the length of his arms to trigger to determine if he could shoot himself on purpose. Some pathologists do it routinely but it does not appear to have been done in this case.

He said it is possible that the victim grabbed the gun and the trigger snagged on something but said it's a little unlikely.

He said the only definite conclusion he can make is that the victim was shot at extremely close range which means the barrel would have to be very close to head where the entry wound was and that there were particles found in his cranium.

He cautioned that people do all sorts of strange things when they're under duress and that it is perhaps possible the victim pulled out the gun for some reason. He said it would be interesting to know if the firearms report concluded the projectiles were definitely from the gun (which they did not), or whether there were any fingerprints found on the gun or the cartridge (there were not), or whether there was any DNA on the trigger (there was not).

1) How certain can we be that Billey Joe Johnson Jr. died as a result of a single shotgun blast to the left side of his head entering at the left side of his head? **Very!**

2) How probable is it that Billey Joe Johnson could have killed himself in the manner described? **Highly probable--whether intentionally or accidentally.**

3) Were the entrance and exit wounds inflicted above his ear consistent with being shot with a shotgun at an upward angle? **Yes.**

4) Considering that the kickback of a 12-gauge shotgun, how plausible is it that the gun would fall neatly on top of you in the manner depicted in the photos? A bit problematic, but yes it is plausible--it could happen.

7) In reviewing the original autopsy, are there any questions which may have been left unanswered or tests which could have been performed but were not done to rule out other scenarios? No.

8) Is it possible that someone else may have shot him either with his own shotgun? Yes, of course, but unlikely. This really requires looking at all of the case information, which I do not have the time to do.

9) Is it possible that another weapon could have been used in the incident? There is no evidence to suggest this to me --- but I have not read through the investigative reports.

10) Are the injuries consistent with the version of events put forward by the grand jury? I do not know what was given to the GJ.

11) Are there any alternative explanations as to how the injuries were sustained? This would require a detailed review of the investigations and I do not have the time to do that.