

Autopsy Changes

New Reports on Marin Shootout

By Jim Brewer

The pathologist who performed autopsies on the bodies of Marin county Judge Harold Haley, Jonathan Jackson and the two black convicts killed in last year's Marin Civic Center gun battle significantly changed his report nearly a year after the incident, it was revealed yesterday.

Ernest Graves, attorney for Ruchell Magee, brought out the autopsy report changes yesterday in an amendment to his motion to exhume and re-examine Judge Haley's body.

Pathologist Dr. John H. Manwaring, it was learned, changed his own report to reverse exit and entry wounds found on the bodies of both Jackson and convict William Christmas. The amended autopsy report concludes the two were shot in the back with the bullets emerging from their chests. The initial report said both men were shot in the chest.

CLOTHING

Manwaring conceded he had changed the report after "consultation with ballistic experts and being able to see

the decedants' clothing."

He told The Chronicle that at the time of his first report he had not seen the dead men's clothing and that his report was based on "the best probability." It is normal to examine a victim's clothing in making a report, Manwaring said, but "this was an unusual case."

The clothing had been in the possession of state investigators until this July, he said.

The amended autopsy report was filed August 2, but not revealed until yesterday.

The amendment's major significance was expected to lie in attorney Graves' contention that the autopsy report contained "gross omissions" — particularly in describing the wounds suffered by Judge Haley.

JUDGE

The autopsy showed that Judge Haley was hit with a rifle bullet in the chest and a shotgun blast in the head and that both wounds were suffered while Haley was a live.

Graves contends that the rifle bullet, fired by law officers, actually killed Judge Haley and that the shotgun

blast, alleged to have been fired by Magee, came after Haley was dead.

Magee, as a life-term inmate, is subject to a mandatory death penalty under state law if convicted of assaulting and killing an individual.

A hearing on Graves' motion to exhume Judge Haley's body is scheduled for September 22.

Graves also bolstered his motion for exhumation yesterday with an affidavit from Professor Leopold Breiteneker, chairman of the Institute of Legal Medicine at the University of Vienna.

Breiteneker said in his affidavit that the autopsy report on Judge Haley was "insufficient to answer the difficult questions being asked."