

The physical evidence against Knox and Sollecito

Following the arrest of Amanda Knox, Raffaele Sollecito, and Patrick Lumumba on November 6, 2007, Italian police held a news conference at which they announced that they had solved the murder of Meredith Kercher. They told reporters that the three people under arrest had killed Kercher because she refused to participate in a group sex game. About two weeks later, the authorities released Lumumba after numerous witnesses confirmed his alibi, but by then they had another man in custody, Rudy Guede, and he took Lumumba's place as the third conspirator.

The evidence against Guede was overwhelming. He left a hand print, in the victim's blood, at the crime scene. He left traces of his DNA inside the victim, on her clothing, on her purse, and elsewhere. He also admitted being present at the scene, although he claimed someone else burst in and committed the murder while he was in the bathroom.

Police had to work harder to make a case against Knox and Sollecito, but, through a series of leaks and announcements, they gradually laid out what seemed like credible evidence:

- A knife was found at Sollecito's apartment that police thought might have been the murder weapon. The authorities said this knife had been cleaned with bleach, but nevertheless revealed Knox's DNA on the handle and the victim's DNA on the blade.
- Police attributed a bloody shoe print in the victim's bedroom to Sollecito, claiming that the print was too small to be Guede's.
- Blood stains found in a bathroom were said to contain the mixed DNA of Knox and Kercher.
- On December 18, police returned to the crime scene and found a bra fastener, cut from the bra Kercher had worn when she was murdered. Tests indicated the presence of Sollecito's DNA on this item.

The public largely accepted this evidence as proof that Knox and Sollecito were guilty. Behind the scenes, however, journalists and advocates for the accused learned that the quality of the evidence was doubtful. Experts told the court that the DNA test on the knife blade was inconclusive. The DNA in question might have come from Meredith Kercher, or it might have come from countless other people. Moreover, the knife was the wrong size to have made some of Kercher's wounds, and it did not match a bloody knife-blade imprint found on her bed.¹

The source of the bloody shoe print also became a matter of controversy. The media learned that an empty box for a shoe type matching the print on the floor was found in Guede's apartment, and Guede admitted during his interrogation that he had discarded those shoes in Germany. Ultimately, the prosecutor conceded that the shoe print belonged to Guede after all.²

As to the blood samples from the bathroom, a forensic expert advising Knox's defense team challenged the view that they were the mixed blood of two people. He examined the lab work and concluded that the blood was that of the victim, and Knox's DNA was present in the form of an organic residue because she had used that bathroom for several weeks before the murder.³

That left the bra fastener. There seemed little doubt that a microscopic trace of Sollecito's DNA had been detected on this item. But the media soon learned that the DNA of at least three

other, unidentified people was also found on the fastener.⁴ Where had all this DNA come from? Contamination seemed the likely answer. The fastener had remained at the crime scene for six weeks after the murder, during which time investigators went in and out of Kercher's room and made a mess of it while sorting through her belongings. Police video taken the day the fastener was bagged as evidence shows that it had been swept or kicked into a pile of clutter some distance from where it was initially spotted. Sollecito's DNA would have been present in the environment at Kercher's residence. He had visited the house a number of times, including the afternoon before the murder and the next day, when the body was discovered. His lawyers argued that his DNA might easily have been transferred to the bra fastener from the floor, from a door handle, or from any other object or surface.

Despite the controversy hanging over these key pieces of evidence, the prosecution continues to assert that Meredith Kercher was killed by three people because she refused to participate in a sex game. It is unclear why one of the alleged perpetrators left extensive physical evidence at the crime scene, while the other two left almost none at all.

1. On May 8, *Perugia Shock* (<http://perugia-shock.blogspot.com/>), which provides the most comprehensive English-language coverage of the Meredith Kercher case, summarized a petition by Knox's defense as follows: "The most important [arguments] obviously concern the data that has emerged after Court of Freedom's ruling, which fell outside the scope of the Supreme Court review. They include... the knife that doesn't match all the wounds, the DNA on the blade that has not been proven to be Meredith's, etc." On November 24, 2008, *Perugia Shock* reported that "[t]he Knife doesn't match the print on the bed. The Knife is compatible with only the fatal wound but incompatible with the minor ones. The print on the bed looks like left by a knife compatible with all wounds."
2. On April 4, 2008, *Perugia Shock* noted the following: "Panorama [an Italian publication] has discovered that, according to Scientifica, [the Italian scientific police] the shoe print in Meredith's room doesn't belong to Raffaele but is compatible with a shoe matching the shoebox found in Rudy's house. On June 23, 2008, *Perugia Shock* summarized a statement by the prosecutor as follows: "The shoe print initially attributed to Raffaele is, by his own admission, Rudy's. He explained, in his interrogation with the Pm, that they found the box at his place but he had thrown the shoes away in Germany."
3. Carlo Torre, a well-known Italian forensic expert, is advising Knox's defense team. On September 26, 2008, *Panorama* published an interview with Torre. An English translation was posted on a blog devoted to the Meredith Kercher murder case (<http://damiano33.wordpress.com/>). Torre said the following with respect to the blood stains: "That the murderer washed in the bathroom seems quite probable. The fact that Meredith's blood was there is clear; the murderer would have had a quick wash before going out onto the street...and it doesn't surprise me that, in the same place there's Amanda's dna, since she lived there. I use a bidet, then somebody else bleeds; there'll be two different genetic profiles, but noone can say whose the blood is and whose are the organic residues. These mixed traces don't mean anything."
4. News of the unidentified DNA traces surfaced in a number of UK publications on January 31, 2008. The *Independent* on that date wrote: "The three traces - believed to be from two males and a female - do not match up with any of the three suspects currently being held over [Kercher's] death." In the pre-trial hearings in October, 2008, Sollecito's lawyers argued that the presence of this unidentified DNA indicated contamination and rendered the bra fastener unreliable as evidence.