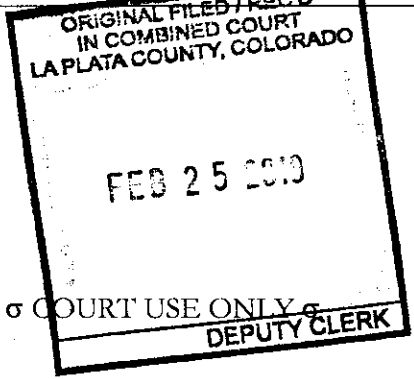


DISTRICT COURT, LA PLATA COUNTY, COLORADO 1060 East Second Avenue Durango, Colorado 81301	
THE PEOPLE OF THE STATE OF COLORADO, Plaintiff, v. MARK REDWINE, Defendant	
Megan Ring, Colorado State Public Defender John Moran, Attorney No. 36019 Justin Bogan, Attorney No. 33827 Deputy Public Defender 175 Mercado Street, Suite 250, Durango, CO 81301 Phone: (970) 247-9284 Fax: (970) 259-6497 E-Mail: Justin.Bogan@coloradodefenders.us Email: John.Moran@coloradodefenders.us	Case Number: 17CR343 Division: 1
[D-108] EXPERT ENDORSEMENT AND DISCLOSURE	

Mr. Redwine, through counsel, respectfully informs this Honorable Court and opposing counsel of the following expert witness. Below the endorsement is a disclosure summary of anticipated testimony.

Endorsement

James C. Ha

Written Summary of Testimony

Dr. Ha's testimony will address the *Brooks* factors generally as it relates to cadaver dogs and with respect to specific cadaver dogs utilized in the investigation of Mr. Redwine. *See Brooks v. People*, 975 P.2d 1105 (Colo. 1999). Dr. Ha will testify as to the power of scent associated with the different breeds of cadaver dogs used in the

investigation of Mr. Redwine. He will provide testimony as to the training of the particular dogs in this case related to the detection of lingering cadaver scent, both large source and trace source. He will testify as to the experiential reliability of the cadaver dogs used in this case to detect lingering cadaver scent. Finally, he will testify about the abilities of the cadaver dogs in this case to identify cadaver scent given the timing cadaver dogs were used in relation to the disappearance of Dylan Redwine.

His testimony will address the capability of the cadaver dogs used in this case to distinguish among the smells of a cadaver that is no longer present. Specifically, he will offer testimony about whether the cadaver dogs in this case are capable of reliably distinguishing between residual scent from blood or other detritus from living human bodies and that from human cadavers, as well as between human and animal scent (whether living or deceased), and, of reliably making these distinctions days, weeks, months, or even more than a year *after* an alleged human body had been at a location. *See generally id.*

His testimony will cover training as discussed in *Brooks. Id.* He will testify about how these specific cadaver dogs are not trained in a controlled environment that adequately replicates the real-life conditions inherent in detecting the past presence of human remains, particularly at the lengths of departed time at issue here. This testimony will address how the training of the cadaver dogs in this case impacts their capacity to locate the past presence of human remains in a location where a human cadaver may have been located *and* where considerable time has passed since its removal.

His testimony will provide information about these cadaver dog's reliability in identifying cadaver scent versus the scent of human blood, or that of other naturally occurring decomposition, such as that of animal remains or cooking refuse. It will cover the training that would be sufficient to allow such detection after the fact, in locations where no cadavers were ever found. Additionally, he will testify about the cadaver dogs used in this case that were cross-trained in "live tracking" and "human

remains searches” and the limitations because the dogs may not be able to discern accurately cadaver scent, or to properly distinguish in its alerts the presence of a cadaver vis-à-vis the past presence of other human scent; how the dogs, for instance, may confuse live human scent with cadaver scent, and vice versa.

Respectfully submitted,

/s/ Justin Bogan

Justin Bogan, No. 33827
Deputy State Public Defender
Dated: February 25, 2019

/s/ John Moran

John Moran, No. 36019
Deputy State Public Defender
Dated: February 25, 2019

Certificate of Service

I hereby certify that on February 25, 2019, I served the foregoing document by e-filing same to all opposing counsel of record.

/s/ Justin Bogan

/s/ John Moran