Santa Clara County Crime Lab Analyst Christopher Corpora confirms that **FOUR** seconds of video footage is missing from Palo Alto Police Officer Manuel Temores' Taser Video.

Despite this confirmation, the Santa Clara County District Attorney's Office, DA Jeff Rosen and former DA Dolores Carr refuses to prosecute the Palo Alto Police for submitting falsified evidence in order to wrongfully incriminate Tony Ciampi which is a violation of Californai Penal Codes 132, 134 and 141(b).

Santa Clara County DA Jeff Rosen is concealing the crimes of the Palo Alto Police Department.

I viewed the video from the *ASF* files produced by Supervising Criminalist J. Bourke in the previous work done on this case—*X0029241702810803151171542.ASF* and *X0029246305690803151170425.ASF*. I was able to use *Sorenson Squeeze version 4.3* to convert the *ASF* files to uncompressed QuickTime™ movies and import the two converted files into Avid® Media Composer®. Each video contains three breaks in time of varying length when no video or audio was recorded. I inserted black filler between the breaks in each video based on the amount time that is to have passed between the gaps. I was able to align the imported footage from the two *ASF* files into one sequence based on the visible audio waveform from the two sources; I was unable to align the *ASF* files based on the time display only. After reviewing the recorded footage from the *ASF* sources, the video that is recorded to the files appears to be similar to the events as seen on the *MAV* camera. When the van doors are obstructing the view of the officers' and subject's actions on the *MAV* source, the *ASF* files have recorded footage of the subject of interest from inside the van. Although the two TASER CAM™ recordings contain gaps in time during the physical altercation; the events that were recorded by each TASER CAM™ appear to be similar to the *MAV* video from Officer Temores' vehicle. The TASER CAM™ recordings do not appear to contain any events that were not recorded by the two *MAV* sources other than displaying a different view of the events in an area of footage when the open van doors are obstructing the view of the *MAV* camera from Officer Temores' vehicle.

In Santa Clara County Crime LAB Analyst Christopher Corpora synchronizes the "filled in" taser recordings of Defendants Temores and Burger, see Exhibit 36. In doing so, Corpora demonstrates that the date/time clocks within the taser recordings are not consistent.

"Turn Around"   "The Police"
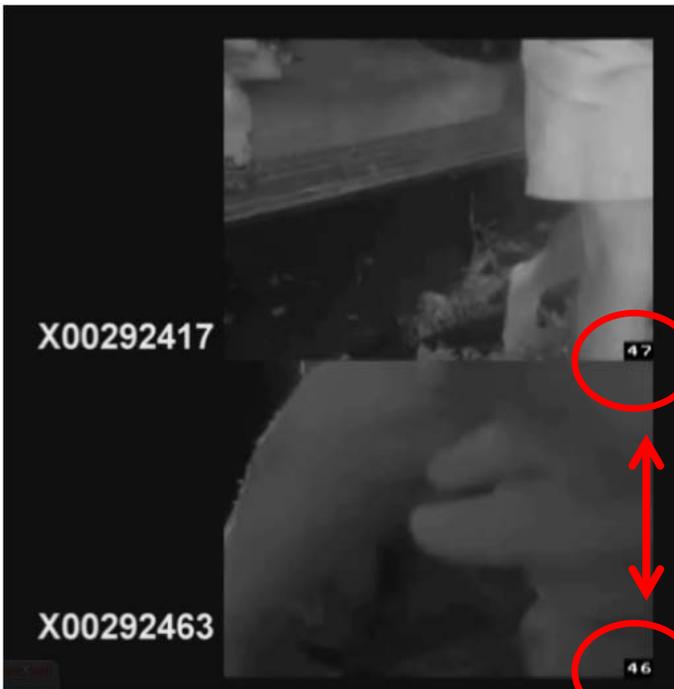
At the beginning of the recordings, Temores' is **ONE** second **ahead** of Burger's, 47 to 46. At the end of the recordings, Temores' is **THREE** seconds **behind** Burger's, 14 to 17.

CONCLUSION: Based upon Corpora's synchronization, Defendant Temores' taser recording's date/time stamp is missing **4 seconds** of audio/video time when compared to Defendant Burger's taser recording.

43-6

County of Santa Clara
Crime Laboratory
Office of the District Attorney
250 West Hedding Street
San Jose, California 95110-1717
(408) 808-6900
(408) 275-6245 FAX

PHYSICAL EVIDENCE EXAMINATION REPORT
Supplemental Report Number 1

Agency Case Number 08-1777	Agency Palo Alto Police Department Santa Clara County District Attorney's Office	Offense 243 PC	Laboratory Number M081017
Suspect(s) JOSEPH ANTHONY CIAMPI	Incident Date 3/15/2008	Analyst C. CORPORA	
Victim(s) STATE OF CALIFORNIA	Report Date 10/8/2009	Requesting Officer SGT. P. LUM; N. NEWBOM; DDA HOWE	

EVIDENCE AND SOURCE

On June 11, 2009, N. Newbom, from the Palo Alto Police Department, submitted one tape-sealed envelope (AA113833) to Property/Evidence Technician F. Lam containing the following evidence:

Item 1-1   one video DVD disc with a label on top identifying the disc as being related Officer Burger for PAPD case number 08-1777.

Item 1-2   one video DVD disc with a label on top identifying the disc as being related to Officer Temores for PAPD case number 08-1777.

DISPOSITION OF EVIDENCE

On September 8, 2009, I released Items 1-1, 1-2, 200, and 201 along with one tape-sealed envelope (AA114328) containing one video DVD-R (*M081017_01_1*) to Property/Evidence Technician F. Lam for release to the PAPD.

On September 8, 2009, I released one tape-sealed envelope (AA114327) containing one video DVD-R (*M081017_01_1*) to Property/Evidence Technician F Lam for release to the Santa Clara County District Attorney's Office.

Please arrange to retrieve your evidence at your earliest convenience.

Christopher M. Corpora
Criminalist

Review: TR op 10-12-09   Der 10/15/09

Page 6 of 6
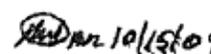
The dialog within the recordings is fixed in **"real"** time.
Therefore the dialog can be used as a fixed marker of **"real"** time.
Though it is unsure what the real time is, by using the fixed markers to compare one recording to another it can be scientifically and empirically determined if the recordings are consistent or if one recording contradicts the other.

This is what Santa Clara County Crime LAB Analyst Christopher Corpora accomplishes by adding the missing time to Defendant Burger's and Temores' taser recordings, Exhibits 34 & 35.

> There is a fixed moment in **"real"** time in which the taser recordings capture the dialog of Defendant Wagner stating, **"turn around,"** and Plaintiff Ciampi stating, **"the police,"** These two statements represent TWO fixed markers in real time and therefore there can only be ONE fixed amount of **elapsed time** between these two recorded dialog markers.

"Turn Around"   "The Police"

TEMORES

Utilizing a **Stopwatch 28 Seconds** elapse between these two fixed markers in Temores' taser recording.

BURGER

Utilizing a **Stopwatch 33 Seconds** elapse between these two fixed markers in Burger's taser recording.

CONCLUSION: There is a **5 Second** discrepancy between Defendant Temores' taser recording and Defendant Burger's taser recording. Defendant Burger's Taser recording takes 5 Seconds longer to get from "Turn Around" to "The Police," then Defendant Temores' recording. Defendant Temores' taser recording is missing **5 Seconds** of time compared to Defendant Burger's taser recording.