

## NATIONWIDE INVESTIGATIONS

Patrick McNeill, Jr.

White Male, 20 years old (DOB: 02/24/1976)

Missing – 02/17/1997

Recovered – 04/07/1997

## BACKGROUND

This is the case that got Gannon started. He made a promise to the parents, Pat and Jackie McNeill, that he would find out what happened to Pat, Jr., and that he would try to bring-in those who had done this to him. This case was left “undetermined pending further investigation” with a cause of death listed as “drowning” and a manner of death as “undetermined.”

Although Patrick was recovered in 1997, the Medical Examiner’s Office did not provide the McNeill family with a complete package (i.e., the autopsy report and photographs) until 11 years later on December 29, 2008. Nationwide Investigations received this package on February 15, 2009. Just over a month later on March 19, 2009, Gannon and Duarte met with the NYPD Chief of the Special Investigations Division to share the agency’s findings.

All on-site photos were taken by Nationwide Investigations staff. All autopsy photos were provided by the NYC Medical Examiner’s Office. Pat and Jackie McNeill gave permission to Nationwide Investigations to use and show discreetly excerpted photos from their son’s autopsy.

## CIRCUMSTANCES

### Last Seen

Patrick was last seen in the Dapper Dog bar in Manhattan drinking with friends on February 17, 1997. He was seen in the bathroom of the bar throwing up right before getting ready to leave. Patrick was observed by witnesses outside the bar in a highly unstable and disoriented state, reminiscent of someone who was on a type of debilitating narcotic drug. Patrick was observed stumbling, falling against parked vehicles and vomiting. Patrick started walking south on 2<sup>nd</sup> Avenue from 92<sup>nd</sup> Street. A double-parked vehicle outside the bar, occupied by a man and a woman, was observed following Patrick south on 2<sup>nd</sup> Avenue. Patrick fell to the ground a short distance later, and the vehicle that was following him stopped and waited. When Patrick started walking south again, the vehicle started to follow him. Patrick was last observed turning left onto 90<sup>th</sup> Street, heading in the direction of the East River with the vehicle still following him.

### Recovery

Patrick was found drowned in the East River almost two months later (50 days) on April 7, 1997. He was recovered in the Bay Ridge section of Brooklyn at Owls Head Water Pollution Control Plant at the 69<sup>th</sup> Street Pier on Shore Road; he was over 12 miles away from where he was last observed in Manhattan.

## ANALYSIS OF EVIDENCE

### Recovery Location

Further investigation revealed that Patrick's body should never have been recovered where it was considering information obtained about the water currents for the East River and the NYPD Harbor Unit that patrols the river daily. Patrick had to have been abducted, driven to that location, and deposited there, for him to have been recovered at that location.

### Vehicle Plate Number

Gannon had a partial plate. The Missing Persons supervisor would not pay for a "lawman search" (i.e., a search of all number-letter combinations) in order to identify a plate number for the vehicle that was following Patrick and described by witnesses at the scene. Authorities said it was too expensive (\$1,200 at that time). This information was critical and would have led to the identity of those in question who were in that vehicle that evening and were certainly "Persons of Interest" regarding Patrick's disappearance.

### Clothing

Further investigation revealed that Patrick was recovered in only his jeans, underwear, and socks. We find it hard to believe that Patrick took off most of his clothing and jumped into the East River in February.

### Blood Alcohol Concentration

Patrick was recovered with a 0.16 BAC (Blood Alcohol Concentration). Human bodies naturally produce alcohol after death (postmortem) as a part of decomposition. Considering that he was supposed to have been in the water for almost two months (50 days), his BAC should have increased by 0.04 due to postmortem alcohol production. This means that his actual BAC upon entering the water was probably more like 0.12 or around 6 drinks. This is not that drunk for a young, 6-foot, 195-pound man. It is also not consistent with the kind of behavior he exhibited in the bar's bathroom or outside the bar right after that. If this were his true BAC upon leaving the bar, then something else made Patrick sick that night.

### Body Position & Lividity

Patrick was recovered on his back (supine), which is extremely unusual for drowning cases, especially one of an individual with his height and body weight. Most drowning victims are found floating facedown (prone). Exceptions occur when a victim is obese or the water is that of a raging type river that is capable of flipping a body from its normal prone position. Patrick's body position is inconsistent with normal drowning cases.

Examination of Patrick's autopsy report and photographs disclosed additional problems with body position. Lividity (a.k.a., livor mortis) is the postmortem discoloration due to the gravitation of blood into the dependent capillaries and veins; basically, it is the pooling and settling of the blood that starts within 30 minutes after death. Fixed lividity occurs after 8 hours (usually 8 to 10 hrs.). Fixed means the blood has settled in one position for more than eight hours and can no longer be significantly shifted by changing the position of the body. The autopsy report does not mention lividity. However, the autopsy photographs clearly present that any sign of lividity is absent from Patrick's back (posterior), which is where it should have been had he drowned and floated in the supine position.

### Ligature Mark

In the autopsy report, the medical examiner states, “circumferentially around the neck there is a pattern which consists of numerous vertical lines evenly spaced (1/16”) around his neck in a pattern as if to suggest some type of binding.” The excerpted autopsy photo clearly shows a ligature mark circumferentially around Patrick’s neck as though he were bound in some way.

### Fly Eggs

Additional review of the autopsy photographs discovered that there were multiple fly eggs in the pubic hairs of Patrick’s groin area; they were in an arrested state of development. Gannon and the team concluded that Patrick had to have been dead on land for a period of time in order for the flies to lay their eggs on him before he was placed into the water. Simply put, flies do not lay eggs on a deceased human body in temperatures under 52 degrees, especially at night with NYC temperatures in the 40s (like when Patrick went missing). This makes Patrick’s case clearly a homicide and brings into question the Medical Examiner’s Office that made this determination.

Gannon then conferred with the following experts: Dr. Cyril Wecht (Forensic Pathologist), Dr. Richard Jantz (Forensic Pathologist from the “Body Farm” in Tennessee), Dr. Bradley Adams (Forensic Anthropologist, Office of the Chief Medical Examiner, NYC), and Dr. Lou Sorkin (Entomologist, American Museum of Natural History). Although no one would fully commit to any particular explanation for the presence of the fly eggs, they agreed that flies should not have been able to lay eggs on a decedent who was outdoors, at night, in temperatures under 50 degrees, and floating in water. Patrick had to have been dead indoors, in an environment warm enough for flies to survive during a New York winter, for a sufficient period of time for the flies to lay their eggs, which ceased their development upon entering the frigid water.

### Burning & Charring

According to the medical examiner’s report, the severe blackening of Patrick’s head and upper torso was the result of exposure to the elements and advanced decomposition. The Nationwide Investigations team adamantly disagrees.

Gannon and Gilbertson’s examination of the autopsy photographs suggested that Patrick had been burned to charring from his head to his waist. It clearly appeared to be ante-mortem injuries. A closer look at the autopsy photographs supported a conclusion that Patrick’s back was protected from these injuries, except slightly around the lower waist region. This information showed that Patrick was most likely bound around his neck to a chair or some type of object that held his back flush with it, which subsequently protected his upper back while allowing part of the fire or flame to move around his lower waist to partially burn that area (but not to the point of charring).

After having viewed Patrick’s autopsy photographs, Dr. Cyril Wecht (Forensic Pathologist) concurred on March 12, 2009, that these were ante-mortem thermal injuries caused by some type of fire or burning while Patrick was secured to an object by a ligature about his neck.

### Putrefaction & Maceration

Patrick’s body at autopsy presented a graduated destruction and decomposition pattern. That is, its condition at one end did not match that of the other end. This directly challenged the medical examiner’s findings, specifically that the extent of degradation of Patrick’s upper torso was a result of exposure to the elements.

Patrick's body at autopsy presented 4 distinct regions of decomposition. (1) One could see in the autopsy photographs that the blackened skin of the head and upper torso had contracted or shrunk and not expanded as normally seen in a bloating body of a drowning victim. This body had been burned with a flame. (2) The body about the waist, however, showed evidence of "Red Line," which is an effect caused by the protection of clothing and demarks protected from unprotected skin during exposure to a heat source. This, in our mind, was the only thing that could account for the distinct areas of light burning (seen as marbled redness) and areas of accelerated decomposition (seen as yellowish-green). (3) Patrick's legs showed established marbling. (4) His feet, on the other hand, did not present an extent of skin slippage that would be consistent with having been submerged in water for 50 days. In fact, the absence of any skin slippage suggested to us that his feet had been in the water for no more than 24 hours in all likelihood. The NYC Medical Examiner cannot have it both ways. You cannot have advanced decomposition due to environmental exposure on one end of a body and very little on the other.

## CONCLUSION

Given all of this, we posit that Patrick's death was not an accidental drowning. He was stalked, abducted, held for an extended period of time, murdered, and disposed. After his torture and burning, he remained on-land for a short period of time in order for the houseflies to lay eggs in his groin area. During this time, decomposition started, and became visible on his legs. He was then transported to Owls Head and placed into the East River. Whereon, he was discovered and recovered within 24 hours, which explains the absence of skin slippage on his feet. Since Patrick's murder and disposal only involved 3-4 days of the total 50 days that he was missing, then one must ask, "Where was Patrick for the other 47 days?"

Therefore, the idea that Patrick was murdered is not only correct, but the assumption that the murder took place indoors is also correct. After examining the photos and considering all the evidence related to this case, Dr. Cyril Wecht concurred with us on March 12, 2009, that Patrick McNeill, Jr., was definitely murdered and the case should be classified as a homicide. As previously stated, on March 19, 2009, Nationwide Investigations presented this evidence to the NYPD Chief of the Special Investigations Division who was going to confer with the NYC Medical Examiner and get back to us. To this date, we have received no official or unofficial word.