Grant Smith Ellis Court Log

USA v. Matthew Farwell — October 26, 2026

Reporting by Grant Smith Ellis (@GrantSmithEllis) · YouTube

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Preliminary Matters

8:44:53 AM ET Good morning from inside Boston's Moakley Federal Courthouse, where this will be today's live-thread coverage of the Sandra Birchmore and Matthew Farwell trial.

The OCME and Billy Farwell are expected to take the stand.

Brian Tully and John Fanning's coverup falls, indeed. [X source]

8:49:14 AM ET Judge takes the bench.

We are in session. [X source]

8:51:08 AM ET "Your honor," says the defense, "I wonder if the court will consider an instruction about the testimony of dr. Capo-Martinez involving graphic images?

"Yes, I will give a similar instruction to the one I gave from October 13th," says Judge.

"I wonder if we can also let the audience, and Ms. Birchmore's family, know that these images may be graphic or upsetting to them."

"Yes, I will mention that. I am not sure day to day who may be in the courtroom but, to everyone here, there are overflow rooms if you would rather view the matter from there or if you would like to step out. The signal for when this is happening will be when I give that instruction to the jury." [X source]

8:54:42 AM ET "Exhibits 58 and 59 which were also going to be offered by the defense...653 and 658 which were some of Ms. Birchmore's journal entries, those are in...so to move to the disputed exhibits, and counsel just give me a moment, 501/A7 which is the autopsy."

"I don't intend to intproduce that as evidence."

"What about j8/580, which is an FBI report?"

"Yes, there is one picture we want to show the witness, that's all."

"And then counsel, I had a note 761 and 762 which is j14, and 763, I don't think I have counsel."

"I will get that to you promptly, your honor, I know the government objec ts to 762.":

"What are they?"

"761 is a stock jar, a photo of it, where the hyoid bone was stored. It was part of the OCME file. 762 is the death certificate attestation form that was amended, and the government objects as they do to the original. 763 is the OCME sign in sheet from a meeting on August 16, 2024, and the various people at the meeting." [X source]

8:57:27 AM ET "Does the government want to be heard?"

"Your Honor, we object to the original and amended death certificate come. They are hearsay. The two death certificates themselves are inadmissible. As to exhibit 763 that is the August 2024 meeting with the OPCME, my understanding is the defense team has met with Dr. Capo Martinez twice and asked her if there was any level of coercion in changing her opinion and she told them no, so, despite that, if the defense somehow has a good faith basis to ask that question, I suppose we don't object. For now, my objection is relevance unless the foundation is laid."

"So, obviously, counsel the crux of the doctor's testimony will be about her ultimate opinion and any change in her opinion, as to 573 and 762, not sure about that counsel but certainly the matter will be before the witness."

"Your honor, thank you, we also dispute Ms. Riley's statements about our meetings. None of our meetings occurred before the death certificate was amended. Also, this is the public records to the hearsay exception." [X source]

8:59:14 AM ET "Counsel, in terms of Mr. Farwell, I know there were some exhibits from the government's side. The first one you flagged was already in. I think there was some testimony about 160, the marriage certificate, but I don't think it's in yet. And then on the text chains for the reasons I've admitted other text chains, this is 402 A-6 and then 404-408, I expect they'll be coming in."

"No objections your honor other than what was raised pre-trial."

"Your honor, I think those texts are already in."

"Okay, I honor that representation."

"428 was a Feb 2, 2021, text chain, I think the government is offering it?"

"Yes, those are from the defendant's iPhone 11 that is between Billy Farwell and the defendant."

WOW! [X source]

9:00:33 AM ET WOW!

"Yes, those are from the defendant's iPhone 11 that is between Billy Farwell and the defendant."

Billy and William Farwell were communicating on the day of Sandra Birchmore's death.

Is Billy the Mystery Man from outside Sandra's apartment! [X source]

9:04:08 AM ET "Your honor, one issue the government would like to raise about William Farwell, we expect William Farwell to testify that throughout Ms. Birchmore's lifetime he never had a discussion with Ms. Birchmore about Matthew Farwell's sexual relationship with Ms. Birchmore, but William Farwell will say the defendant told William about the existence about Matthew Farwell's other affair partners as well as the defendant leaving social events with Ms. Isabelle and the significance and relevance of this is the defendant's efforts to hide the relationship with Ms. Birchmore."

"Your honor, while we appreciate their forecast of the evidence, those witness took the stand to their great humiliation and any further testimony or second hand communication serves no purpose it is not relevant anymore. We do not need to dwell on that issue. It is improper and inadmissible under 403."

"Cousel, I didn't hear that we were going to have a repeat of that testimony. Counsel, this is Mr. William Farwell's knowledge of that. If I allow it, after some further thought, it will be limited to his observations."

"Your honor we would ask that include the defendant's admission about what he was doing?"

"His admissions to Mr. Farwell while not making the same disclosure to Ms. Birchmore. I understand. I'll give it some further thoughts." [X source]

9:04:55 AM ET All of the lights in the courtroom have turned off.

The jurors will be told about this before entering the courthouse.

It is entirely dark in the courthouse. We have emergency lighting only in the courtroom.

We won't be able to see the exhibits. [X source]

9:05:40 AM ET "Jurors entering!" [X source]

Diala Alkhalil, LMHC — Continued

9:06:25 AM ET The witness takes the stand.

The lighting slowly comes back on. [X source]

9:07:36 AM ET She is a licensed Mental Health Counselor who saw Sandra for years and also saw Sandra for a tele appointment on the day before Sandra died.

She left the courthouse in tears on Friday. [X source]

9:09:27 AM ET This is Diala Alkhalil.

Judge tells jurors about the lighting issue. She apologizes and we begin. [X source]

9:09:56 AM ET It is Joanne Daley on cross.

"Good morning."

"Good morning." [X source]

9:10:35 AM ET "On Friday we talked about how Sandra Birchmore was doing in the month prior to her death, but I'd like to talk about when you first met her...how old was she?"

"11."

"Her plan listed you as her primary therapist?"

"Yes." [X source]

9:11:18 AM ET "What conditions did she present to you with?"

"I don't recall, but if you have something that could refresh my memory that would be great."

Long pause and Ms. Daley shuffles papers. [X source]

9:12:02 AM ET "You did an assessment in 2016 but I don't think you listed all her conditions there. Do you recall an IEP meeting with Sandra?"

"I went to most of her IEP meetings but I don't remember her conditions listed other than ADHD." [X source]

9:13:53 AM ET "Would looking at the South Bay medical form help you remember?"

"Sure."

"What conditions did she have?"

"That was not what conditions she came to me with, that was part of my work to list her conditions. I listed her as having ADHD. I also ruled out BPD."

"Why were you ruling out BPD?"

"She was seeing another doctor at the time who had..."

"Objection."

"Overruled."

"So she came to you from someone else with that diagnosis and you were ruling it out?"

"Yes." [X source]

9:14:38 AM ET "What is BPD?"

"A mood disorder. You're looking for two different moods. A manic episode where a client has an elevated mood. Grandiosity, impulsiveness, decreased need for sleep. When they're manic they are really, really elevated. They will also have depressive episodes. That's why it is called bi-polar." [X source]

9:15:55 AM ET "You ultimately diagnosed her with adjustment disorder?"

"Yes."

"You spoke to her other doctors?"

"Yes, it was required."

"And is that good practice?"

"Yes."

"And Sandra was one of your very first clients?"

"Not very first, but in my first or second year."

"She was switched to South bay in 2007, was she in therapy prior to you meeting her?"

"I don't recall. I think her mom had brought her to someone else previously." [X source]

9:16:47 AM ET "Did your treatment plan include individual and family therapy?"

"Yes."

"Did you ever seen Sandra one on one?"

"Yes, almost entirely or with her mom."

"What kind of issues was Sandra and her mom dealing with at the time?"

"Objection."

"Sustained as to the compound questions. Focus on Ms. Birchmore." [X source]

9:17:35 AM ET "Sandra had issues at school?"

"Yes, she had attention issues. She had a learning disorder. She needed accommodation. She was defiant at school. I remember counselors in IEP meetings saying that about her overall temperament."

"You attended her IEP meetings?"

"Yes, her mom really depended on me to do so." [X source]

9:18:37 AM ET "Did the IEP depend on her condition?"

"Well, I didn't write the IEP but they do document all conditions, yes."

"And Sandra had anxiety?"

"Yes."

"And you stopped treating Sandra around 2011?"

"Yes, for a time when transportation became an issue." [X source]

9:19:16 AM ET "As to 2016, Sandra came to you and she was a college student at that time?"

"Yes."

"And she referred herself to you following the death of her mother?"

"And her grandmother..."

"And her grandmother?"

"Yes, after the death of her mother and her grandmother." [X source]

9:20:15 AM ET "In 2016, Sandra reported ADHD, a history of drinking, panic attacks and sadness?"

"Yes."

"And you noted she had issues with coping skills?"

"Yes."

"And those are used to navigate challenging situations and regulate emotions?"

"Yes."

"Sandra was drinking daily at the time to cope with her grief?"

"I don't recall." [X source]

9:21:43 AM ET "On your November, 2016, of Sandra Birchmore, there is a box where you can check off any issues with daily living, and you checked every box., Appetite problem/eating issues, difficulty with sleep,. difficult concentering, anhedonia (loss of interest of things that you normally like to do), not able to work or attended school sometimes, not able to maintain personal hygiene, social withdrawal, panic attacks?"

"Yes, she was in really bad shape when I started seeing her again in 2016." [X source]

9:22:55 AM ET "She also had grief, anxiety?"

"Yes."

"What about somatic complaints what are those?"

"Mental health impacting physical health. Sandra had migraines."

"You said risk factors include family members?"

"Yes, she had some difficulties at home?"

"What did physical perpetrator mean?"

"I don't recall what made me cross that off that she reported at that time."

"But that was at home?"

"Yes." [X source]

9:24:57 AM ET "You said none as to Substance Abuse at the time, is that right?"

"I don't recall."

"Would looking at the assessment help you remember?"

"Yes."

"Did Sandra have any homicidal or suicidal ideations?"

"No."

"Did you forget to mark drinking under substance abuse on one page?"

"Yes." [X source]

9:25:19 AM ET "Any other risk factors checked?"

"No."

"No paranoia?"

"None."

"Disassociation?"

"None." [X source]

9:25:52 AM ET "She had none of those risk factors at the time?"

"No."

"Did she later show signs of disassociation?"

"Some time later yes." [X source]

9:27:10 AM ET "What about concomitant medical issues? Any of those?"

"I did list a few. Dizziness and fainting. Mensuration difficulties and headaches. I also listed no know allegies to food or medication."

"Did she refuse to give you the name of her primary care doctor?"

"Yes, but I don't recall if she didn't have one or did not want to have me speak to them."

"Did you note, did not want to report in the assessment?"

"Yes." [X source]

9:27:56 AM ET "Would you have difficultly determining concomitant medical issues without speaking to her PCP?"

"Not necessarily."

"Oh, okay."

"And you say she did not report any history at the time of physical, emotional or sexual abuse?"

"Yes."

"And no medications at that time?"

"I don't recall, but if I noted no, she said no." [X source]

9:28:14 AM ET "You said she may have still been seeing Dr. Leonard?"

"Oh, that was his name! Yes!" [X source]

9:28:42 AM ET "Was he a psychiatrist?"

"Yes."

"What is the difference between his work and your work?"

"He is trained to give medications and I am not." [X source]

9:30:23 AM ET "What is the difference between a licensed mental health counselor and a talk therapist?"

"The latter is a basically a Master's Degree, whereas the former requires a bit more education."

"Are you a crisis therapist?"

"No."

"As to your outside hours, were you concerned about accommodating Sandra outside those hours?"

"Yes."

"But Sandra told you she would only see you and you felt you couldn't turn her away?"

"Yes." [X source]

9:31:40 AM ET "And you diagnosed Sandra with an adjustment disorder of mixed anxiety and depressed mood in 2016?"

"Yes."

"Please correct me if I'm wrong, but isn't that a stress-related short term medical condition?"

"It can be, yes."

"But for Sandra you noted this for 4+ years?"

"No. Her diagnosis changed over the years and then came back to adjustment disorder towards the end of her life."

"it kind of waxed and waned?"

"yes." [X source]

9:32:12 AM ET "Would it be fair to call the adjustment order a chronic condition?"

"No, not for Sandra. At times ADHD was the more prominent diagnosis. Sometimes the panic disorder." [X source]

9:32:47 AM ET "When Sandra first came back to you in 2016 her mom and grandmother had just died, and she had grief?"

"Yes."

"Was this on top of the normal grief following death?"

"Yes?" [X source]

9:33:58 AM ET "Until COVID, all of your sessions with Sandra were in person?"

"Yes."

"And those in person sessions let you see their clothing, affect, mood, etc, and you note that?"

"Yes."

"Or if they are tearful or crying?"

"Sure."

"And you might meet with a client one day, but talk about their week?"

"Yes."

"When seeing Sandra Birchmore, did she always have symptoms of some kind when you were treating her, be it panic attacks, anxiety or otherwise?"

"Sure." [X source]

9:34:26 AM ET "Jan 3rd, 2017, she had sleep issues and anxiety?"

"Yes."

"Jan 10th, sadness and anxiety?"

"Yes."

"Increase in family conflicts and tearful on Jan 10, 2017?"

"Yes." [X source]

9:35:57 AM ET "You brought up medication often?"

"Yes."

"You gave her a medication referral?"

"Yes, I talked to her about medication."

"And until 2020 she refused?"

"Yes."

"Back to 2017. In Jan, you're noting anxiety and racing heart/sleep?"

"Yes."

"Feb of 2017, she has nightmares?"

"Yes."

"March of 2017 she had financial issues and that was common for her?"

"Yes."

"And in March of 2017 you encouraged her to try journaling?"

"Yes."

"Did you ever look at those journals?"

"No, I didn't even know she was writing in a journal." [X source]

9:36:53 AM ET "May 2017, you said she had some relationship conflicts?"

"With a friend or with her aunt, yes."

"May 2017, you said she had grief from losing her grandmother, mother and boyfriend."

"Oh yes."

"Was that William Killroy, the boyfriend in 2017?"

"Yes, I didn't know his last name though." [X source]

9:37:39 AM ET "In June of 2017, she has anger, she feels unsupported and isolated?"

"Yes."

"Okay, let's stop here. June 30th and July 1 of 2017, you had last seen Sandra on June 20th and you discussed angry outbursts but no mention of self harm?"

"Right, a client can display anger without showing thoughts of self harm." [X source]

9:38:44 AM ET "Exhibit 56 please. Second page. What is this?"

"This is a journal entry from June 30th, 2017."

"Is this Ms. Birchmore's handwriting?"

"I don't know."

"Is this from her journals?"

"Yes."

"The one's you encouraged her to keep?"

"Yes."

"And in this one she is listing pros and cons of self harm?"

"Yes." [X source]

9:39:27 AM ET "And Sandra weighs the pros and cons of self harm in the context of a long list of ways to do so?"

"Correct."

"And she didn't tell you about this note?"

"Correct."

"And she lists reasons why and why not to take her life?"

"Yes." [X source]

9:40:25 AM ET "You've seen this note before?"

"Yes, the government showed me the note."

"You didn't see this in 2017, but the why and why not to do it list came up a lot in your treatment?"

"Well, she felt alone a lot."

"She felt no one cared?"

"At times."

"She felt she wasn't good enough?"

"Yes."

"And she was treated like shit?"

"Yes." [X source]

9:40:45 AM ET "She felt she wasn't good enough?"

"Yes."

"And she was treated like shit?"

"Yes."

Casual cussing my Farwell's lawyers in federal court. [X source]

9:41:37 AM ET "Here she continues a list with reasons not to engage in self harm?"

"Yes."

"So, career ahead is one reason?"

"Yes."

"Almost done with school?

"Yes."

"Kitty friends?"

"Yes, she loved her cats."

"Some day, someone, somewhere, might care?"

"Yes."

Heartbreaking. [X source]

9:42:01 AM ET "She also said as a math tutor, which she did at that time, who else can teach the kids if not me?"

"Correct." [X source]

9:42:42 AM ET "This next page, is this a note she wrote the next day?"

"I think it was all part of the same note across two days."

"You didn't see this note in 2017 right?"

"Right."

"Or during her lifetime?"

"Right."

"Only after she died?"

"Correct." [X source]

9:43:54 AM ET "You kept seeing her after 2017 right?"

"Yes."

"And you took notes?"

"Yes."

"And you noted anxiety and depression?"

"Yes."

"And she was unkempt?"

"Yes, I hate that term, but when a client has disheveled hair or otherwise, but I feel judgy."

"Well, I mean, a lot of people wear pajamas bottoms everywhere so..."

"Yea, I mean I wear pajama bottoms on Zoom!"

Okay then. [X source]

9:44:27 AM ET "Did Sandra have fainting spells due to panic attacks?"

"Yes."

"And she had syncopy?"

"Yes, that is related to the fainting episodes." [X source]

9:44:50 AM ET "She had anxiety and depression sometimes?"

"At times."

"She would be tearful?"

"Sometimes." [X source]

9:45:46 AM ET "You said the financial stress would increase her symptoms?"

"At times."

"And sometimes she got behind on her co-pays?"

"Yes."

"And you'd have to put off booking her until she paid?"

"No, I don't recall that."

"Did you see her for free?"

"Not for free, I helped her bank her co-pays to help her get back on her feet."

"She paid you in cash and Venmo?"

"Yes." [X source]

9:46:52 AM ET "Do you remember telling Sandra that she needed to pay her co-pay ahead of time for one appointment in June of 2019?"

"Yes."

"Did she make half that payment?"

"Yes."

"Did you have to follow up for the other half?"

"Yes." [X source]

9:48:21 AM ET "Did you offer her a free session, meaning the co-pay, in Jan of 2020?"

"Yes, I offered to bank the co-pay."

"By late Jan of 2020, you ask her to make sure she pays the co-pay by Venmo?"

"Yes, I do need to get paid."

"Yes, I'm sorry...I don't mean too..I just mean to say there were times you had to remind her about the payments."

"Yes, sometimes she would tell me about having a hard time but then she would book trips to New Hampshire with her friends. So I didn't want to have that start impacting my treatment with her, in terms of resentment for not paying the co-pays, so I talked about boundaries with her." [X source]

9:49:44 AM ET "Sandra had two aunts after her mom and grandmother died?"

"Yes."

"And one of them threw her out of the house?"

"Yes."

"And Sandra was owed a share of that house because it was her mom's house too?"

"I didn't understand the details, but, generally, yes."

"Did she feel she was being excluded from family gathering?"

"I don't recall if she excluded herself or was excluded."

"Did someone not invite her to a wake in July of 2020?"

"Yes."

"She was not allowed to go through her dead aunt's stuff at one point in summer 2020?"

"Yes." [X source]

9:50:55 AM ET "On May 14, 2020, I'm not sure the government asked you about this, this was the day Sandra was taken to Good Sam on a section 12?"

"Yes."

"What's that?"

"It's when someone reports a concern about a client engaging in self harm and then the client is transported to a hospital for evaluation."

"And Sandra texted you that day?"

"Yes."

"What did she tell you?"

"Objection. hearsay."

"Well, this is Ms. Birchmore we're talking about, overruled, you can answer."

"Yes." [X source]

9:51:50 AM ET I feel terrible for the other reporters who try to keep up with my typing.

They don't stand a chance. I wear them down every hour and I just never, ever stop typing.

I adore most of them though. They're great. [X source]

9:52:34 AM ET Witness takes a long pause to review text messages between Sandra and herself.

"May I approach your honor?"

"You may."

The nice sketch artists is using his fancy glasses to look at a close up of the witness as he draws in the overflow room. [X source]

9:53:03 AM ET "I'm sorry, Ma'am, could you just read through this text thread between you and Ms. Birchmore from May of 2020..."

"Witness starts reading out loud."

"No, I'm sorry, to yourself!" [X source]

9:54:06 AM ET Very long pause as witness reads the texts. [X source]

9:56:10 AM ET Okay we are done with texts. That must have been a lot of texts. [X source]

9:57:29 AM ET "Does that refresh your recollection?"

"Yes."

"She texted that you that she needed you to call her, and you were in session, but she said her aunt called the cops on her?"

"Yes."

"And you said, when she said they told me to call you, you told her they were confused because you're not a crisis therapist. She told me the police were screaming at her to call her therapist, call her therapist and that made me very confused as to why they would do that." [X source]

9:59:06 AM ET "And why were you confused?"

"Because normally she would be taken to a hospital, evaluated and then released. They don't call me to do a crisis evaluation over the phone."

"Did you see her that evening?"

"Yes, I called her and then saw her by telehealth that day and then again two days later."

"When you talked about boundaries outside of session with Sandra what was that about?"

"Well, we talked about boundaries a lot, I don't recall a specific conversation." [X source]

10:00:16 AM ET "Did you want Sandra to go to a day program in 2017?"

"Yes."

"What's that?"

"A day program is somewhere someone goes from 9-3 each day for treatment."

"Did Sandra refuse?"

"Yes."

"But she continued to see you?"

"Yes."

"And then, jumping ahead to July of 2020, she was still anxious?"

"Not all day, every day, but sometimes she had symptoms." [X source]

10:00:59 AM ET "Did Sandra tell you she cried for two days straight at one point?"

"Yes, and I told her that may be a good time to start an antidepressant...God the text messages sound so awful when you read them."

Pause. [X source]

10:02:40 AM ET "Did she want a self harm watch removed from her college record from years ago?"

"Yes, I have never seen that before. Sandra told me it was from that stupid call by her aunt."

"She said it was due to that stupid call."

"She never told you she said to Massasoit..."

"Objection!"

"Sustained."

"Did she report any self harm attempts?"

"Only once, many years before as a teenager, as I said, she tried to take Tylenol and threw it all up."

"That was not in college though, it was long before?"

"Right, it was in high school." [X source]

10:03:38 AM ET "Were the holidays hard for Sandra?"

"Yes."

"She didn't have a good support system and she felt alone after her mom and grandmother died?"

"Yes."

"Did you talk about medication again?"

"Yes."

"When you talked about her teenage self harm attempt, was it something you considered a risk factor?"

"Of course."

"And sometimes Sandra would just come into your office and cry?"

"Correct." [X source]

10:04:54 AM ET "Sandra did mention Matt Farwell to you a few times?"

"Only as Matt."

"Did he play a major role in supporting her?"

"I wouldn't say major."

"Did you testify in the grand jury in this case?"

"Yes."

"Did you tell the grand jury Matt Farwell played a major role in supporting Sandra?"

"Major in the sense of being there for major events but not major as in being there on a daily basis." [X source]

10:05:48 AM ET "Was he very supportive of her when she was going through a situation with her x?"

"She never really spoke about the support he gave her, just that he saw her again around that time."

"Did you tell the grand jury that he was supportive at that time?"

"I don't recall."

"Would looking at your grand jury testimony help to refresh your recollection?"

"Yes." [X source]

10:07:47 AM ET "This is page 16, starting at lines 23, may I approach your honor?"

"You may."

"Did that help you refresh your recollection?"

"Yes."

"Did he help her at times?"

"He was supportive at times."

"Very supportive?"

"Objection."

"Sustained."

"Your honor, as it's grand jury testimony, may I move it into the record."

"Objection."

"Counsel, I can't see it and there's an objection. Do you have it for court and counsel?"

"I can put it on the ELMO your honor. Just for the court and counsel." [X source]

10:10:42 AM ET "Your honor, I just want to confirm the word very."

"You can read the question and the answer."

"Question; what was your understanding about how Sandra felt about Matt."

"Answer; I mean it's hard to say whether she was in love with him, I never inquired, but I know he played a major role in supporting her, when she was grieving, going through the situation with her ex, he was very supportive. She was very protective of him, so anytime I challenged her relationship with him or some of the judgements she was making, she quickly shut that down and said, Oh I don't care, it's fine."

"That's what you said in the grand jury correct?

"Yes." [X source]

10:11:47 AM ET "Sandra told you she really wanted to have a baby?"

"Yes."

"And at times she thought she was pregnant?"

"Yes."

"But she couldn't even take care of herself?"

"Did I say that?"

"If you don't remember it, that's fine."

"If she was a 23 years old, yea she had some difficult times taking care of herself, yea."

"And she got false positive sometimes for pregnancy?"

"Yes."

"And she told you she had a miscarriage?"

"Yes." [X source]

10:13:31 AM ET "She said Matt Farwell really wanted to have a baby with her?"

"Yes."

"And she said they were trying to have a baby starting in Jan of 2020?"

"Yes."

"And she then got pregnant in Dec of 2020 and she told you Matt was the father?"

"Yes."

"And you now know that Matt is not the father?"

"Yes."

"And Sandra told you Matt was saying he was not the father and wouldn't sign the birth certificate?"

"yes."

"And this confused you?"

"The entire situation confused me."

"Did you do anything to ask who the father was?"

"Sandra believed he was the father 100%. I figured he was trying to say, 'not it!" [X source]

10:14:15 AM ET "Sandra told you Matt Farwell was the first person she ever had sex with?"

"Yes."

"And she said that was when she was 16?"

"Yes."

"But you told the grand jury you didn't remember who Sandra first slept with or when?"

"I don't recall. Can you show me that?"

"Sure." [X source]

10:15:31 AM ET "Ma'am, can you read this grand jury testimony to yourself?"

"Okay."

"Does this refresh your recollection?"

"I'm sorry, I'm still reading it."

"Oh, I'm sorry." [X source]

10:16:46 AM ET "In the grand jury, did you say the following;"

"Objection!"

"I'm assuming you're starting at line 9?"

"Line 5, your honor."

"What's the objection?"

"No inconsistently."

"Counsel, you don't have to interact with the witness, you can read from 5 to 25." [X source]

10:18:33 AM ET Question; Did she tell you how long she had known Matt?"

Answer; No.

Question; Did she tell you when she met Matt?

Answer; No.

Question; Did Sandra tell you she lost her virginity at 16?"

"Well, yes, she did, but with the smirk. But, like, she's telling me she lost it at 16, but I knew there was more to the story but I didn't push but, yea, she told me she had sex at 16."

Question; Did she tell you who she lost her virginity to?"

Answer; No.

"Was that testimony accurate?"

"At the time, yes, that's what I recalled." [X source]

10:19:11 AM ET "You told the grand jury in 2024 this information, and the information you had in your brain about Sandra was fresher?"

"It was fresher, but the stress and trauma was probably higher." [X source]

10:19:41 AM ET "You told the grand jury in 2024 this information, and the information you had in your brain about Sandra was fresher?"

"It was fresher, but the stress and trauma was probably higher."

All time great answer to that question. [X source]

10:20:20 AM ET "In Jan of 2021, Sandra was sad because her mom and grandmother wouldn't be there for her baby's birth?"

"Yes."

"And that was a big concern for you?"

"It was not my biggest concern, or even a big concern no." [X source]

10:22:17 AM ET "Did you feel that Sandra really didn't have anyone?"

"That's what she reported in sessions, yes."

"She had grief when she got pregnant?"

"Yes."

"She was really on her own and that was a concern for you?"

"Yes."

"You keep noting her symptoms in Jan of 2021?"

"Yes, poor sleep, social withdrawal, anxiety, her heart is racing, and she had a fainting episode in a gym class."

"Was she texting you almost daily this at this point?"

"Yes.

"And if she had a panic attack she would ask you to call her?"

"Yes."

"And did she text you about spotting during pregnancy."

"She texted me if she had a hangnail, so yes."

"Did she have a panic attack over potentially losing the baby?"

"She had panic attacks in general, I wouldn't say specifically about that." [X source]

10:23:53 AM ET "Did she tell you about any ER visits in early 2021?"

"I don't recall."

"Did you keep talking with Sandra about boundaries?"

"Yes."

"Did she text you in the middle of the night?"

"Yes."

"And you got a different phone so Sandra would text you only between 9 and 5?"

"That plan didn't work out."

"Sandra said she was worried she might faint in her apartment and no one would ever find her?"

"I don't remember that wording, but I remember Sandra saying she felt something bad was going to happen in her apartment."

I am not sure why Joanne Daley is still going on at this point.

Daley says,

"I can just move on." [X source]

10:24:23 AM ET "Sandra Birchmore didn't tell you in June or July of 2017 that she thought about self harm?"

"Objection."

"Sustained, asked and answered." [X source]

10:26:04 AM ET "Sandra Birchmore came to you because she wanted a license to carry a gun?"

"Yes, at some point."

"And you refused, right?"

"That's not my area of expertise."

"But she wanted you to write a letter for her?"

"Yes, that is not my area, I wouldn't write a letter for any of my clients to get a gun."

"She never got a gun, right?"

"As far as I know."

"Why did she want a gun?"

"She wanted a license to carry. I believe she was going into the army. We talked about it more than once. Sometimes she wanted to work for the police department. There were cops all around. It didn't strike me as a shocker. It wasn't out of fear." [X source]

10:27:15 AM ET "Did she ask you to be a reference for her Army application?"

"I don't recall, but that sounds like Sandra."

"Did Sandra ever tell you that you were like her mother?"

"Yes."

"Did you try to address that boundary with her?"

"It would have been if she called me mom. I didn't take it that way. I took it in the sense that she saw me as a maternal, compassionate figure, so no i did not read it as anything but that." [X source]

10:28:17 AM ET "Are you an expert in self harm and depression?"

"I'm qualified."

"Would you say you're an expert?"

"What's your definition of expert?"

"I'm asking you for your defintion of expert."

"I would say I am qualified. I have been practicing for 20 years. It is within my scope of practice." [X source]

10:28:39 AM ET "Did you text Heidi Kelsch on April 14 of this year?"

"Objection!

"Sustained!" [X source]

10:29:35 AM ET "Did you ever tell anyone on the government team that you wouldn't..."

"Objection."

"Overruled, impeachment."

"Did you tell Agent Kelsch you wouldn't call yourself a legal expert in those areas?"

"I would describe myself as experience, but as not an expert. My specialty right now is OCD and anxiety." [X source]

10:31:04 AM ET "Sandra went on Zoloft when she was pregnant?"

"Yes, from Dr. V."

"That was her OBGYN?"

"Yes."

"Who was responsible for monitoring Sandra's symptoms as to reacting to Zoloft?"

"Both myself and Dr. V."

"Did you talk to Dr. V?"

"No, Sandra started the medication on Jan 21, 2021, and it was Jan 31st, 2021, and I saw no signs or got no reports from Sandra that would have required that at that point." [X source]

10:31:27 AM ET "Is one of Zoloft's black box warnings about not sleeping?"

"I don't recall, but yes that is a symptom." [X source]

10:32:02 AM ET "Whose territory was it in terms of whether or not the Zoloft was causing an adverse reaction?"

"Objection."

"Sustained, asked and answered." [X source]

10:33:56 AM ET "And Sandra said there were some issues with the Zoloft dosing?"

"Yes, she said they started at 50mg and went down to 25mg. It was a normal reaction when getting used to the medication."

"Is trouble sleeping a common reaction?"

"It can be."

"So is that a troubling symptom?"

"I wouldn't say it's the most serious side effect in my experience as a treatment provider."

"Okay, umm, what relevance of any...sorry, withdrawn. What about irritability is that a danger sign?"

"Not necessarily, no."

"What about new or worse depression or anxiety?"

"Yes." [X source]

10:34:53 AM ET "Did Sandra report panic attacks while on Zoloft?"

"Yes."

"And that is something you would have wanted her to talk to Dr. V about?"

"Yes."

"But you hadn't spoken to Dr. V before Sandra died?"

"Not at that point, no."

"One moment, please, your honor." [X source]

10:35:42 AM ET "Nothing further."

"Redirect." [X source]

10:37:06 AM ET "You were asked a few moments ago about the text to the FBI agent about being an expert?"

"Yes, I was notified by yourself or an agent that I would be here as an expert witness and the word expert confused. I have never been in this situation before. I said hey, I would qualify myself in certain ways, and then you told me what a legal expert for this purpose actually is, and then I understood."

"And you've never testified as a legal expert in court before?"

"Not in this way, no."

"And you didn't know what a legal expert was at that time?"

"Correct." [X source]

10:38:26 AM ET "You said Sandra had sadness and grief after her mother and grandmother died?"

"Yes."

"And have other patients expressed these symptoms?"

"Yes, it is very common."

"You testified that, while Sandra's symptoms fluctuated, they were always present?"

"They did go up and down."

"Were Sandra's financial struggles also ongoing?"

"Yes."

"And she always survived?"

"Always."

"Objection."

"Sustained, struck." [X source]

10:39:06 AM ET "So you were well versed in Sandra's mental health history?"

"Yes."

"And you still called the state police after Sandra's death to offer information?"

"Sure did!"

"Ojbection!

"Overruled." [X source]

10:39:24 AM ET "So you were well versed in Sandra's mental health history?"

"Yes."

"And you still called the state police after Sandra's death to offer information?"

"Sure did!"

"Objection!

"Overruled."

Epic. [X source]

10:40:00 AM ET "Is it common for an 11 year old to be diagnosed with BPD?"

"Yes."

"And you ruled it out?"

"Yes, I challenged it."

"And you have never diagnosed Sandra with BPD?"

"Correct, never." [X source]

10:41:14 AM ET "What differences exist in the provision of clinical therapy between a therapist and a mental health doctor?"

"A therapist sees a client on a regular basis. A psychiatrist would see her initially once to evaluate for an hour, and then typically once they medicate them, they'll see them monthly for 10 minutes."

"You spend more time with patients?"

"Yes, I like to think of us as the nurses of our field." [X source]

10:42:06 AM ET "You said Sandra smirked when she talked to you about her virginity?"

"So, Sandra had this little smirk that she did, during the grand jury there was a picture on the board and she had the smirk in the picture, so I said it was that exact smirk."

"What did the smirk mean?"

"It meant Sandra was telling me she wasn't going to talk about a specific topic more than she had already said." [X source]

10:43:06 AM ET "And she mentioned Matt?"

"Yes."

"And she alluded to Matt being Matthew Farwell?"

"Yes."

"You were asked on Friday about a dream Sandra had about her mom?"

"Objection."

"Overruled."

"Yes. A vision." [X source]

10:44:31 AM ET "Was late Jan 2021 the only time Sandra reported something like that to you?"

"A few other times she reported a visit from her mother."

"Do you recall when that was?"

"No."

"Would showing you some text messages help you refresh your recollection?"

"Yes."

"When did she report similar experiences?"

"The first one was in 2019." [X source]

10:47:58 AM ET "Have your other patients also had loved ones who passed away visit them in dreams?"

"Yes, it's a very common experience."

"Defense counsel asked you about a journal entry on June 30th and July 1 of 2017, do you recall that?"

"Yes."

"And I believe it was your testimony that you were treating Sandra around that time, is that right?"

"Yes."

"How often were you treating Sandra at that time?

"Weekly if not twice a week."

"And, so in late June/early July of 2017, during your weekly or twice weekly sessions with Sandra did you asses her for self harm ideation?"

"Yes, she disclosed she was not having any."

"Is a journal entry the same thing as a self harm note?"

"No."

"What if anything is the significance of a journal entry regarding deep dark thoughts vis a vie self harm ideation?"

"Objection."

"Overruled."

"I can't speculate as to her intent but other times my clients have said it is easier to express dark thoughts in a journal entry., Sometimes clients re[port dreams or thoughts of self harm as a relief, so I can't speculate as to why she wrote that."

"Did Sandra kill herself after writing that in 2017?

"Objection."

"Sustained."

"Did you treat Sandra after 2017?"

"Yes."

"And that was four years before she died?"

"I don't do math, but correct." [X source]

10:50:39 AM ET "Have you had other patients sent on section 12's to the hospital?"

"Never."

"You testified that you saw Sandra in a telehealth session on May 14, 2020?"

"Yes."

"What did you do to asses her for self harm?"

"I asked what happened when the police came, what happened with the crisis evaluation, and I would have asses her myself."

"What was the result of your assesment?"

"She denied self harm ideation. She said she was angry, her aunt was angry, it escalated, she had an evaluation and then she was discharged within a few hours."

"What did her release after a few hours mean to you?"

"It meant that they didn't see any reason to hold her."

"What would you have done if you determined she was at risk of self harm?"

"I would have called 911 or her doctor and had her sectioned."

"In the 8+ years you treat Sandra did you ever do that for her?"

"No."

Long pause. [X source]

10:51:51 AM ET "You were asked on cross about Zoloft and something the defense called activation syndrome?"

"Yes, now I know what that is."

"What if anything is the impact of the activation syndrome, or whatever it's called, if someone has safely taken antidepressants in the past?"

"I don't know." [X source]

10:52:13 AM ET "How many patients have you treated on Zoloft?"

"Hundreds."

"How many Americans are on Zoloft?"

"Millions." [X source]

10:52:31 AM ET "Why id Zoloft prescribed to pregnant women."

"Objection."

"Foundation, counsel?"

"Yes."

"Sustained." [X source]

10:53:33 AM ET "You said earlier today...sratch that, start over, what if anything did Sandra tell you about side effects when she started Zoloft?"

"Jittery. She said she felt jittery."

"What if anything did she report about self harm as a result of starting the Zoloft?"

"Nothing."

"Increased depression?"

"Nothing."

"Just jitteriness?"

"Yes." [X source]

10:54:17 AM ET "Did Sandra have a history of sleep difficulties?"

"Yes, it would come up from time and again."

"So that wasn't a new thing that came up with Zoloft?"

"Oh, God, no! If it was, I would have called her doctor right away with her while in session." [X source]

10:56:42 AM ET "May I have a moment please your honor?"

"You may."

"Ma'am, you testified about Sandra's communication style?"

"Yes."

"You said on cross she texted you almost daily?"

"What if anything did she text you on Feb 1st, 2021?'

"I don't recall." [X source]

10:57:31 AM ET "Did Sandra send you a text on Feb 1st, 2021?"

"No."

"And you said she'd text you about a hangnail?"

"Yes."

"But she didn't text you on Feb 1st, 2021 saying she was going to kill herself?"

"No."

"Objection."

"Sustained."

"Nothing further."

Recross." [X source]

10:58:02 AM ET "You would have tried to stop Sandra if she told you she was going to kill herself?"

"Of course." [X source]

10:58:17 AM ET "What is the standard treatment for BPD?"

"Objection."

"Sustained." [X source]

10:58:56 AM ET "You were Sandra's therapist?"

"Yes."

"Were you a lifeline for her?"

"Yes."

"But when she couldn't make the co-pays you wouldn't see her?"

"I would still see her." [X source]

10:59:37 AM ET "If there came a time when she couldn't pay you, would you be allowed to end treatment?"

"Yes, but I would never do that."

"But you are allowed to do so?"

"I could refer her to someone else, but I did not do so with Sandra." [X source]

11:00:06 AM ET "If you have a patient in crisis, you can't end treatment right?"

"I wouldn't."

"And if a patient ends their..."

"Objection."

"Sustained." [X source]

11:00:44 AM ET "You made phone calls after Sandra's death?"

"Yes."

"And you learned of Sandra's death on Feb 4th from the vice principal of the elementary school in Sharon?"

"Yes."

"And you closed out Sandra's file on Feb 5?"

"Yes." [X source]

11:01:16 AM ET "What did you note on the discharge summary of her file?"

"Objection."

"Sustained."

"May we be heard?"

"Yes."

Sidebah! [X source]

11:04:00 AM ET "One more question, you reported that you saw Ms. Birchmore more than weekly sometimes?"

"Yes."

"And sometimes she was crying and tearful in your office?"

"Yes, but she was not suicidal."

"But someone does not get diagnosed as being suicidal? They are suicidal or they are not?"

"Yes."

"And you now know that Sandra did not share some things with you?"

"Yes."

"Nothing further."

"You may step down!" [X source]

11:04:10 AM ET "Counsel, let's take our morning break!" [X source]

11:07:03 AM ET "Regarding the timing of the Government's disclosure of William Farwell's statements about the defendants affairs, this was disclosed in 2025. Yesterday, after a meeting with Mr. Farwell, the government wrote a letter to the court disclosing what was contained in that discussion about the three adult affair partners, including Ms. Isabelle, and Matthew Farwell being proud of that relationship, and Ms. Isabelle and the defendant leaving bars together but only one of them returning. So the accusations this was first disclosed in court this morning, that is not accurate. This was disclosed in a 2025 FBI 302 and also yesterday." [X source]

11:07:34 AM ET "Your honor, I didn't know they intended to revisit this in open court again. It's a 403/401 objection."

"Counsel, I'll give this more thought."

Recess for 20 minutes! [X source]

11:26:51 AM ET Here is Diala Alkhalil leaving after her testimony.

She broke down in tears.

God bless her. She was very strong for Sandra. https://t.co/LiqejAp1mt [X source]

Dr. Capo-Martinez — Office of the Chief Medical Examiner

11:35:03 AM ET We are now back in session.

The medical examiner, Dr. Capo-Martinez, has now taken the stand.

She is explaining, generally, manner of death and her background in the field. [X source]

11:41:03 AM ET "Are there processes other than an autopsy to determine cause and manner of death?"

"We do not autopsy everyone who comes through the office. We also do what's called a chart review. These are deaths that maybe happen in a hospital. very well documented. But could still have an unnatural component. Say someone broke a hip and was in the hospital for an extended period of time, and so maybe that injury in contributing, we may do a chart review on something like that. We may also do an external examine. Suspected natural deaths that do not need further examine but for different reasons may still end up in our office." [X source]

11:42:59 AM ET "You were telling the jury a few moments ago, as opposed to a cause of death, with manner of death you consider multiple factors. What are they?"

"As mentioned before, for manner of death, I will be looking into not just the autopsy but also what the police report says."

"Who controls what a police report says?"

"The police."

"Does the OCME have any role in the authoring of police re[ports?"

"No."

"Does the OCME have any role in terms of scene investigations in Massachusetts?"

"We do not physically go to the scene. Our investigative body does not go to the scene. Our doctor's may go to a scene but it's on a case-by-case basis and only as requested, or at least most of time, when requested by police." [X source]

11:45:07 AM ET "What information do you rely on when doing your investigations?"

"Police and EMS reports. Other medical documents. Maybe court documents if it gets that far."

"What else?"

"Toxicology results, additional other expert reports, any sort of documentation that be relevant to the case. Including witness statements. Sometimes those are in the police reports."

"Who collects those witness statements?"

"Usually that would be the police department."

"What impact does the quality of a police investigation have on your ability to determine manner of death?"

"Objection."

"Overruled."

"It...sorry...it can effect the way we do the manner because you know we are dependent on other agencies to provide information. If we don't get sufficient information or all the information we may not be able to ascertain the correct manner of death." [X source]

11:47:25 AM ET "Who determines if the OCME goes to a scene?"

"Usually whoever is investigating a death, they will reach out and, if they do, we'll go to the scene and help out in any way that we can."

"If you don't go to the scene how does a body make it's way to you for examination?"

"That involves other agencies as well. Say, if someone is discovered dead at their home, Police or EMS will get involved in deaths throughout the state. They then have to make sure the deceased gets a pronouncement. After that happens, I can only assume, they do an initial investigation of the scene to determine if they're going to get us involved. Once that happens on their end, whoever is at the scene will call into our office, our intake department which is phone system where people are trained to accept or decline cases that come into our office."

"How, physically, does a body get to your office?"

"We have a group of assistants trained to do body removals." [X source]

11:50:21 AM ET "During the intake process, law enforcement notifies your office of a death?"

"Yes."

"What information do they provide?"

"We ask them the person's name, age, the circumstances of the death, the findings from the scene."

"Do you rely, as a medical examiner, on the information provided during the intake process?"

"We rely on it preliminarily, but just for our initial work and the way the work flows."

"What are the protocols when a body arrives at the OCME?"

"Yes, if there is no suspicion of foul play, if its not a homicide, then the body gets brought in by the OCME assistants, then they will what we say process the body. So let's say someone dies in a hospital, they will be brought in, the clothing will be removed, they will be finger printed, and then that is processing of the body when we photograph them. Then the person is ready to be examined. If there is anything suspect about the person's death, if it's known that it is a homicide or certain specific cases, we chose not to process these bodies, so the body would be seen as it is received during examinations." [X source]

11:51:21 AM ET "Who decides if a body should be treated as suspicious or not suspicious?"

"Usually the person who calls it in might raise red flags, or things in a particular case that, for us, it won't be processed when it comes in. I don't know if I'm making myself clear."

"Have there been some cases where law enforcement advises you to treat the death as suspicious?"

"Yes." [X source]

11:55:43 AM ET "After being assigned a case, how quickly do you perform an autopsy?"

"The day of. Usually, the case is assigned that morning and then you go through your list. Rarely a case may go into a second or third day, or you may have to revisit the body, but usually it happens the same day."

"Is law enforcement allowed to attend the autopsy?"

"Yes."

"When do they do so?"

"Most homicides, cases where they are unsure what happens, cases that are suspicious, or cases where they have a special interest in the case."

"What role do they play?"

"Before you do your exam, you may have the chance to ask law enforcement for more information than what was obtained through intake. They ask questions. They provide information. There can be a conversation there. They also come to observe what you're doing, maybe collect the evidence you're collecting. They are permitted to take photos, as well, but they bring their own person to do that from crime scene services." [X source]

11:57:09 AM ET "Do you take your own photos?"

"Yes, to preserve the record."

"How do you decide what areas of the body to photograph?"

"I take photos of all parts of the bodies. Also, all injuries, tattoos, scars. That would be something I would photograph."

"Do you issue a report after the autopsy?":

"Yes."

"Does it have cause and manner of death?"

"Yes."

"How quickly do you have to complete that report?"

"We strive for within 90 days of when they come into the office but it's not set in stone. We can go quicker or take longer as necessary." [X source]

12:00:30 PM ET "When did you perform an autopsy on Sandra Birchmore?"

"February 5th, 2021. She was brought into the office on Feb 4th, the next day I was assigned to the case."

"You said the law enforcement can request OCME to come to the scene, did that happen in this case for a medical examiner?"

"No."

"Did you receive any information from the intake report?"

"From our intake report, Canton PD had reported the case. There was some information that she was found sitting."

"Did you review and rely on that information?"

"Yes."

"Exhibit 58 just for the witness. Is this your intake report from Canton PD for Sandra Birchmore?"

"Yes."

"Defense has a foundation objection."

"Is it an example or is it the form?"

"It looks to be the form."

"This is the form that our personnel filled out from Officer Charles (Chip) Yeaton of the Canton PD."

OH MY GOD THAT'S THE GUY JOHN O'KEEFE WAS MESSAGING, ALONG WITH KEVIN ALBERT, ABOUT THE DRUG DEAL OUTSIDE OF JOHN'S HOME IN MARCH OF 2021.

Oh dear god. [X source]

12:02:16 PM ET "Female was seated. Died of suicide by hanging. She was a teacher at a school. She is seated and hanging by a scarf from a door handle. She is still suspended. No suicides notes found at the time. Appears the defendant may be pregnant, an ultrasound found on the refrigerator. Home is unkempt No foul play involved. CPAC is on scene."

"Did I read that correctly."

"Yes." [X source]

12:02:51 PM ET "This is the form that our personnel filled out from Officer Charles (Chip) Yeaton of the Canton PD [who reported Sandra Birchmore's death to the OCME]."

OH MY GOD THAT'S THE GUY JOHN O'KEEFE WAS MESSAGING, ALONG WITH KEVIN ALBERT, ABOUT THE DRUG DEAL OUTSIDE OF JOHN'S HOME IN MARCH OF 2021.

Oh dear god. [X source]

12:04:32 PM ET "What did you know about the presence of baby strollers, pets, or care provided for those pets?"

"Nothing."

"The intake said no signs of trauma, but what were you told about a necklace being broken on Sandra's body?"

"Nothing."

"Was her hair in a messy state?"

"Yes."

"What objects did you know about that were found near her body?"

"I knew of no objects around her body."

"And the report said it was a scarf around her neck?"

"Yes."

"And that it was a suicide?"

"Yes." [X source]

12:05:50 PM ET "Exhibit 59 for the witness. Is this the preliminary report you got from the state police about Sandra Birchmore on Feb 4th 2021 and did you consider it before you began your autopsy?"

"Yes."

"Move to publish."

"Objection."

"Hearsay."

"Overruled."

"Allowed. Admitted and published." [X source]

12:07:31 PM ET "This indicates, from the state police, via Trooper Kevin Tufts, that the case description says Birchmore Suicide, yes?"

"Yes."

"And it says, Canton PD got a request from Sharon PD. Canton PD Yeaton, Cotard and Brady conducted the check. The observed a vehicle in the lot covered in snow. They spoke with Erin Porter, got a key and made entry. The found victim sitting on the floor with a nylon strap around her neck hanging from the door. She appears pregnant. There is an ultrasound on her refrigerator. There were multiple antidepressant medications found at scene." [X source]

12:08:17 PM ET BREAKING NEWS:

Brian Tully and John Fanning's state police unit mislead the OCME by saying that there were multiple antidepressant medications in Sandra Birchmore's apartment at the time of Sandra's death when, in fact, that

was not true.

Uh oh.

It begins. [X source]

12:09:15 PM ET "How many of the medications in this picture are antidepressants?"

"Just one."

"Does Sertraline also treat anxiety?"

"Yes."

"Is the other medicine prenatal vitamins?"

"Yes."

"And the Zofran?"

"Nausea."

"And the Prednisone?"

"An immune drugs?"

"And the tables?"

"Migraines, nortriptyline." [X source]

12:10:56 PM ET "At any time before commencing your autopsy were you asked to considered whether this was a homicide?"

"No."

"Would you have done anything differently?"

"Yes, I would have asked why, asked if there was anything specific they wanted me to focus on, I would have collected evidence, I would have the property removed from her body pulled out and collected as evidence."

"Sometimes law enforcement attends autopsies and provide you with information?"

"Yes."

"Did any law enforcement come to Sandra Birchmore's autopsy?"

"I don't remember." [X source]

12:13:18 PM ET "Were you later asked to go back for an evidence collection (SA kit)?"

"Yes, I went back and collected oral, vaginal, perianal, anal as well as underwe4ar swaps and smears."

"Did you do that on Feb 5, 2021?"

"No, I did that at the request of the police department on Feb 26, 2021?"

"That was 21 days later?"

"Yes."

"What had Ms. Birchmore's body gone through by that point?"

"I had done the entire autopsy. She had processed, she had been removed from the body bag, she had been documented. All body cavities and organs were removed. Then it was put back in, all of it, then she was sewn back together, she was washed, put into a body bag and then put into a cooler. On Feb 12th, I was asked to collect fetus and uterine tissue, as well, so I had already done that as well." [X source]

12:14:22 PM ET "Had you ever performed an evidence kit after washing a body, putting the organs back in and sewing the body together?"

"I have done it, but I always explain that at that point the evidence might be compromised. The body has been washed and handled."

"Did anyone ask you to do an evidence collection kit before the autopsy on Feb 5th?"

"No."

"Were you asked to treat Ms. Birchmore's death as suspicious by anyone?"

"No." [X source]

12:15:18 PM ET "What is asphyxia?"

"It is where the body suffers from a lack of oxygen or an excess of carbon dioxide due to interrupted breathing or an inadequate oxygen supply, leading to unconsciousness, brain injury, or death." [X source]

12:16:43 PM ET "Can that be present in homicide or suicide?"

"Yes."

"How can that happen in suicides?"

"Hanging. Exclusion of oxygen (maybe you put a bag over your head). Drowning as well."

"Allow me to focus you. Are there different kind of hanging deaths?"

"Yes, fully suspended and partially suspended, also the use of ligature."

"What's the difference?"

"In a fully suspended death the person's feet death won't touch the ground, in a partially suspended, the feet or buttock may touch the ground." [X source]

12:17:40 PM ET "Is it important for you to know if a person is found fully or partially suspended?"

"Yes."

"Do you expected to see different kinds of injuries?"

"There can be an overlap between the findings of the two. You can find the same thing in both, but there are injuries that are less likely to be found in partially suspended hangings." [X source]

12:21:12 PM ET "With respect to partial hangings, you said that could be when a person is on their tip toes. How much of that comes from their body weight being suspended?"

"In that situation, it might still be most of their body weight?"

"Is there less body weight suspended when they are sitting and kneeling or reclined?"

"There might be yes."

"What does the amount of body weight suspended in a hanging impact your assessment?"

"I would make a note of whether the person is fully or partially suspended but it wouldn't change what I'm looking for."

"Are there injuries more likely to be seen in fully suspended hangings?"

"Yes, you'd have a deep mark around the neck from the ligature, maybe a sliding furrow where the furrow slides up, also fractures of the neck."

"Are fractures of the neck more or less likely in partial hanging?'

"They can be seen in both, but age plays a role. Some of the literature says that people over 30, when the hyoid bone fuses, there is less likely to be a break." [X source]

12:22:39 PM ET "What impact does the age of 30 have there?"

"Because that is when the hyoid bone should be fused."

"Was it fused in Ms. Birchmore?"

"It was not."

"What, if anything, does it mean if a hyoid bone is not fused?"

"It is more mobile. The bone will be more mobile."

"What will that cause?"

"It's more flexible."

"What does that mean in this context?"

"Like I said, it can move more. It has more mobility."

"Has the office of the chief medical examiner ever seen a broken hyoid bone from a seated hanging in a person under 30."

"I do not have any examples of that." [X source]

12:23:36 PM ET "Asphyxia can also be a manner of death when the cause of death is homicide?"

"Yes."

"What are some examples?"

"Manual strangulation..."

"Objection."

"Counsel, I'll hear you on this."

Sidebah! [X source]

12:26:42 PM ET "So, Dr. Capo-Martinez, can you continue..."

"You could have manual strangulation where the hands are being used. You could have ligature strangulation. You could have mechanical types of asphyxia where someone's body weight is being used to ummm limit or uhhh create this asphyxial type of death."

"We note our objection your honor."

"Denied but noted."

"Are you familiar with the term smothering?"

"Yes."

"What is that?"

"It is when the victim or decedent, their ability tyo breathe has been obstrucured like with a pillow or with a body, or with body weight."

"What injuries would that cause?"

"It could be no injuries, abrasions on the face or mouth, mouscasa of the mouth."

" [X source]

12:27:47 PM ET "Are you familiar with the terms vascular or carotid restraint?"

"Yes, it's when you cut off oxygen to the brain."

"What physical symptoms appear?"

"The person will lose consciousness very quickly. After a few minutes death will ensue. They will lost consciousness within a couple of seconds."

"Objection."

"Overruled." [X source]

12:28:42 PM ET "When pressure is applied to the carotid artery, someone could lose consciousness in a few seconds?"

"Yes."

"What are Petechiae?"

"Point point hemorrhages when capillaries and vascular breaks occur." [X source]

12:30:00 PM ET "Do neck injuries happen in strangulations?"

"Yes, you can see fractures in different parts of the neck, you can see hemorrhages."

"Fractures of what bones?"

"The hyoid, the thyroid cartilage."

"What is the hyoid bone?"

"On the front of your neck, higher up." [X source]

12:31:18 PM ET "Have you seen manual stangulation result in the break of a hyoid bone?"

"Yes, five cases. Out of all those five, other injuries were also present."

"Did you have anything beyond the MSP and Canton reports before doing your autopsy of Ms. Birchmore." [X source]

12:32:05 PM ET "What is Exhibit 61?"

"Sandra Birchmore's clothing."

We see Sandra's clothes on a table at the OCME."

"What is exhibit 62?"

"This is pink underwear, woman's underwear. Sandra was wearing them when she arrived at the OCME." [X source]

12:33:30 PM ET "Did you collect any blood samples from Ms. Birchmore?"

"Yes, heart blood and femoral vein blood. Heart blood is central blood. Femoral blood is in the legs." [X source]

12:34:12 PM ET "Did you send those samples to the MSP crime lab?"

"Yes."

"Were any X-Rays taken before the autopsy?"

"Yes on Feb 4th."

"Exhibit 80 please. What is this?"

"This is a lateral skull image, left lateral, of Ms. Birchmore." [X source]

12:35:37 PM ET "Are there any fractures in this view?"

"Not in this view."

"Exhibit 81 please. What is this?"

"This is the right lateral image of Ms. Birchmore's skull from Feb 4th."

"Do you see any fractures?"

"Not from this view."

"At some point on Feb 5th, 2021, did you begin your exam?"

"Yes, a little after 1PM."

"You first did an external exam?"

"Yes."

"What was her height and weight?"

"She was 161 pounds. She was 4 feet inches or 58 inches" [X source]

12:36:32 PM ET "What color was her hair and eyes?"

"Blonde hair and green eyes."

"Was anything around her beck when she arrived?"

"Yes, a bag strap. A nylon bag strap was around her beck. I photographed it."

We see the ligature on a blue cloth on a table.

"Is that a scarf?"

"No it is not." [X source]

12:38:48 PM ET "What did you notice about Ms. Birchmore's eyes?"

"So, as to her eye lids, the inside of them had little pin point hemorrhages and the white of her eyes had the same thing."

"What did that indicate to you?"

"These are injuries we often see in strangulations or hangings using a ligature."

"Did you notice those pin point hemorrhages anywhere else?"

"Her face and under her scalp. Once I opened the skull cavity you have to pull or reflect the scalp back. So, under the scalp there were those little pin point hemorrhages. Also when I removed the neck there were pin point hemorrhages in her neck above her airway." [X source]

12:39:48 PM ET We see a picture of Sandra's face.

She is dead on the slab.

She had bruises on her nose, swelling around her mouth and jaw, and she has a large scrape near her left chin.

This is a very difficult image to see.

I have seen death. [X source]

12:41:38 PM ET In this picture, the ligature is still attached to Sandra's.

The doctor explains the abrasion to Sandra's cheek occurred perimortem. This means around the time of death. This can be while she was alive or closely after death.

Sandra's chin was resting on her body.

The OCME concluded the mark on Sandra's chin was a contact abrasion from Sandra's chin resting on her shoulder as or after she died. [X source]

12:42:35 PM ET There is not a vertical mark under Sandra's lip.

"At the time, I did not note this mark. But, now, it looks like it is an abrasion."

"What do you mean by that?"

"It's a linear mark, it is a little bit red."

"What is an abrasion?"

"It is like a scrape. Like falling and scraping your knee." [X source]

12:44:17 PM ET "What do you see on Ms. Birchmore's nose?"

"At the time, I reported this as mumification."

"What's that?"

"After death, tissue can change color."

"As you sit here today, could those be abrasions?"

"I maintain those as mummified areas on the nose."

"Did anyone ask you anything, or say anything to you, about the marks on Sandra's face before you started your examination?"

"No." [X source]

12:45:00 PM ET "What information did you have about the items on Sandra's bed?"

"Nothing."

We see the image of Sandra hanging from her door, with her baby bump out, at the time she was found.

I have, again, seen death.

God bless Sandra Birchmore and her unborn baby. [X source]

12:45:32 PM ET "Exhibit 67 for the witness. What is this?"

"This in the interior portion of Ms. Birchmore's beck with the ligature in place."

Oh dear God.

Help me. [X source]

12:46:27 PM ET Oh God this is very bad.

Sandra's hear is pulled up and we look at the intense marks caused by the ligature on her neck.

The OCME documented abrasions above and below the ligature furrow. It meant to the OCME that there was some movement of the body or of the ligature on the beck. [X source]

12:47:41 PM ET "What is this picture?"

"The left side of Ms. Birchmore's beck with the ligature."

"This picture is of the right side of Sandra's head and face. The ligature is visible on her neck."

"Exhibit 70 for the witness. What is this?"

"The right side of Ms. Birchmore's neck. You can see the ligature, part of the buckle of the ligature and some hair in the ligature."

Oh dear God help me. [X source]

12:48:34 PM ET We see a picture of Sandra's right side of her face.

We see the ligature near the back right side of her next and base of her skull.

"Where is Sandra's hyoid bone compared to that buckle?"

The hyoid bone is in the front of the neck, the strap is near the back." [X source]

12:49:01 PM ET Now we see a picture of Sandra laid to the side on her left arm.

She has a tattoo of a flower running up her spine to the base of her skull. It is a flower. [X source]

12:50:04 PM ET Now we see another picture of Sandra on her side.

Sandra's tattoo is on her left shoulder.

"Were you asked by anyone before you did your exam if Ms. Birchmore's hair could be a sign of trauma?"

"No." [X source]

12:51:12 PM ET "Did you see this video before your exam?"

"I had no information about this video."

"Did you know Sandra Birchmore's hair was in a bun in this video?"

"I had no idea."

This is video from 5:33PM on 2/1/2021 where Sandra is entering her apartment with her hair in a bun. [X source]

12:51:41 PM ET "Did you know Bobby Pins were present at the scene?"

"I knew nothing about that."

We see a picture of Sandra hanging from the door with Bobby Pins on the ground around her. [X source]

12:52:36 PM ET The prosecutor is putting on black gloves.

She opens an evidence bag and places the ligature found on Sandra Birchmore's body onto the witness stand.

This is a very intense moment. [X source]

12:53:00 PM ET "Did you send this to the MSP crime lab?"

"Someone usually comes to pick it up and deliver it by hand." [X source]

12:54:26 PM ET "What is this exhibit?"

"Right side of Sandra Birchmore's head and neck without the ligature."

Admitted and published. [X source]

12:55:25 PM ET Now we see an image of the underside of Sandra's neck without the ligature.

This is very very hard to look at it.

"Was this a perimortem or post mortem injury?"

"In this case, because of the injuries, I would favor this to be antemortem or perimortem."

"What is antemortem?"

"Before or around the time of death." [X source]

12:56:00 PM ET "Was this a perimortem or post mortem injury?"

"In this case, because of the injuries, I would favor this to be antemortem or perimortem."

"What is antemortem?"

"Before or around the time of death."

Horrifying. He killed her with the strap itself. [X source]

12:58:31 PM ET "You said earlier that you take photos when something jumps out at you? Was there anything on Ms. Birchmore's upper chest?"

"Yes, a red/brown abrasion on the right side of her chest."

"What is an abrasion again?"

"A scrape or it can come from something creating pressure, like an imprint."

"What is an imprint?"

"It can be form an object pressing down on the skin and creating this abrasion."

"Exhibit 78 for the witness please?"

"Your honor," says the defense, "can we remove exhibit 83 from the stand?"

"Yes."

Sly move there. Prosecutor left the ligature on the stand and visible for as long as possible. [X source]

1:00:18 PM ET "You said this was an abrasion caused by pressure?"

"I was saying some abrasions can be caused by downward pressure."

"What, generally, would cause an abrasion like this?"

"I'm not sure."

"What is blunt force trauma?"

"This is when a blunt objects strikes the surface of the body like a bat or a first."

"Could this have been the result of blunt force trauma?"

"Yes." [X source]

1:00:48 PM ET "What is blunt force trauma?"

"This is when a blunt objects strikes the surface of the body like a bat or a first."

"Could this have been the result of blunt force trauma?"

"Yes."

Bad news, Brian Tully and John Fanning.

Bad, bad news. [X source]

1:02:10 PM ET "Did anyone inform you about this abrasion before you began your exam?"

"No."

"Was this a post mortem or perimortem injury?"

"I can't recall how I wrote that in my report."

"What color is that abrasion?"

"Red/brown."

"What does it being red signify to you?"

"Likely antemortem or perimortem?"

"So before or at the time of her death."

With that, we break for lunch. That was tough. [X source]

1:02:24 PM ET I don't think anyone wants lunch right now, for the record. [X source]

1:05:02 PM ET "Anything counsel?"

"Yes, your honor," says the defense, "I'd just like to put on the record that as we predicted this morning the courtroom gallery was filled with crying and sniffing, which is understnable. We understand they are dutrbuing and hard to see. People will cry. We just ask that people be careful."

"For what it's worth counsel, I did not hear anything. Counsel did the government want to be heard?"

"I did not hear anything, but I was focused on direct."

"for the record, I did not observe anything distracting from the gallery."

"It was soft, but it was audible from my seat, your honor."

"I will note that, and I have noted for the jury which, for these purposes, it is up to them at the end of the day here, and I've given them the instruction about this evidence."

"With that, we stand in recess." [X source]

1:07:23 PM ET God bless you all.

That was very difficult.

Thank you for your support of my work.

Donation information below (I am going to go try to recover and I shall be back at 2PM).

Venmo: https://t.co/aS1seZFGwv

Paypal = https://t.co/T02firu36i https://t.co/PfzmPMIg82 [X source]

Lunch Break / Additional Reporting

1:35:52 PM ET @HeyDizzzy @KarenGoldbergME Karen told me it was very light and she could barely hear it right behind the man and woman crying (Sandra's cousins, the Cosgroves). [X source]

1:39:20 PM ET I'm hearing unconfirmed reports William Farwell may be given use and derivative-use immunity bby DOJ in the Sandra Birchmore + Matthew Farwell trial.

This does not bar William's prosecution for crimes the DOJ knew about in an authentic/independent manner to William's testimony. [X source]

2:00:08 PM ET We are coming back into session now. [X source]

2:02:59 PM ET "Dr. Capo-Martinez, do you perform a beck dissection?"

"Yes, that is where you pull back the skin on the neck and then you do a layer by layer analysis of the muscle. Then you take that portion of the body out, along with the tongue." [X source]

2:03:33 PM ET "What did you note during the neck dissection?"

"A fracture of the hyoid bone on the right side and a hemorrhages of the left sternothyroid muscle." [X source]

2:06:10 PM ET "What is the laryngeal prominence?"

"The voice box."

"Was the hemorrhages above or below the voice box?"

"It is below the voice box."

"Where was the ligature?"

"At or above the voice box."

"So the ligature was above the voice box and the hemorrhage was below?"

"Yes."

"What is a hemorrhage?"

"Bleeding within a tissue."

"Can a hemorrhage indicate trauma?

"Yes." [X source]

2:06:58 PM ET "And you said the hyoid bone was broken?"

"Yes."

"And hyoid bones are harder to break when they are fused or non-fused?"

"Fused."

"And Ms. Birchmore's hyoid bone was fused or non-fused?"

"Non-fused." [X source]

2:07:38 PM ET "Exhibit 9."

We now see the picture of Sandra hanging from the door."

"What position was Ms. Birchmore found?"

"Seated and then leaning backwards." [X source]

2:08:05 PM ET "Was Ms. Birchmore's hyoid bone photographed?"

"Yes, in October of 2024."

"Who asked for those photos?"

"The FBI." [X source]

2:09:11 PM ET "What is in this photograph?"

"The hyoid bone."

"Zoom in on the right side please, Ms. Massie...your honor, I move to admit and publish."

Admitted and published.

"What is the orientation of that hyoid bone?"

"Displaced inwards towards the center."

"Is that consistent with strangulation?"

"Objection."

"Sustained as to form." [X source]

2:11:06 PM ET "What significance did the broke hyoid have for you?"

"At the time, not very much, it was just an injury to the neck."

"Do you note a darker color on that right side?"

"Yes, I know you guys have mentioned a darker color around the area."

"What, if anything, could that be consistent with?"

"Objection your honor, the timing of this picture compared to the autopsy."

"Establish that again with the witness."

"This was taken in October of 2024?"

"Yes."

"What does that discoloration signify?"

"It's possible it could be a hemorrhage but I can't confirm just based on photograph." [X source]

2:11:23 PM ET "Did you send this hyoid bone out for further imaging in 2024?"

"Yes."

"Who requested that?"

"The FBI." [X source]

2:13:23 PM ET "Going back to Feb 5th, after the neck dissection, did you examine the rest of Ms. Birchmore's body?"

"I don't know what I did after that. Usually the neck is one of the last things you do because you want all of the blood to drain first. With the exception to the injuries to her head up, was she otherwise healthy?"

"Yes, the only other significant finding was gallstones and the pregnancy in her uterus."

"Did you confirm she was pregnant during her autopsy?"

"Yes, there was an in-tact fetus with no signs of a miscarriage in her fetus."

We are about to see the open uterus showing Sandra's fetus.

"Objection," says the defense.

Judge allows it. [X source]

2:13:38 PM ET Yep, that is a fetus in a uterus.

Oh God.

God help us all. [X source]

2:14:56 PM ET The fetus was 3CM long which is an age of 8-10 weeks.

"Did the baby die when Ms. Birchmore did?"

"Yes, most likely, as there were no signs of a miscarriage."

"When did you issue the autopsy report?"

"May 6, 2021."

"Why that date?"

"I had requested scene photos, I had gotten my toxicology report back, and umm, I had gotten information from Mass. State Police that there was nothing else to report on their investigation so I felt comfortable closing the case." [X source]

2:15:05 PM ET "When did you issue the autopsy report?"

"May 6, 2021."

"Why that date?"

"I had requested scene photos, I had gotten my toxicology report back, and umm, I had gotten information from Mass. State Police that there was nothing else to report on their investigation so I felt comfortable closing the case." [X source]

2:15:37 PM ET "I had requested scene photos, I had gotten my toxicology report back, and umm, I had gotten information from Mass. State Police that there was nothing else to report on their investigation so I felt comfortable closing the case."

Run, Tully and Fanning.

Run. [X source]

2:18:01 PM ET "What is this?"

"This is an email from Trooper Fanning to my office saying they would send scene photos, because that's what I requested, and that there was nothing new to report and they had some forensics out at the lab."

"Did you review this before doing your report."

"Yes."

"Did you have the crime scene photos at any time before May 1 of 2021?"

"No."

"When John Fanning says he would send the photos over on May 3rd or 4th, he says there is nothing new to report and they can meet with you if needed to follow up?"

"Yes."

"What was your original cause of death?"

"Asphyxia."

"Manner of death?

"Suicide." [X source]

2:19:41 PM ET "What did you rely on for that?"

"The intake report from Canton PD, the Mass. State Police preliminary report, and the information I got from law enforcement, and, also, the autopsy."

"During the autopsy you saw a fracture to the hyoid bone, an abrasion to the chest, abrasions above and below the furrow and a vertical mark on her chin, is that accurate?"

"Yes."

"Were you told about any male DNA on the ligature?"

"I was not told about any DNA on the ligature."

"What information did you have about the major contributor to that DNA profile on the ligature?"

"I did not have any of that information."

Boom. [X source]

2:20:26 PM ET "You said crime scene investigations can be a factor that weighs on your report. Exhibit 37 please. Dr. What if any information did you have before you issued your report about the necklace in the photo?"

"I was not aware that there was a necklace on Ms. Birchmore."

WOW! [X source]

2:22:57 PM ET "What information were you given about the phone next to her hand?"

"Nothing."

"When the phone sent it's final text, did you have that information?"

"No."

"What about when the phone locked for the final time, did you have that?"

"No."

"What about when the phone moved for the final time?"

"Nothing."

"What did you know about the content of messages on the phone?"

"I did not have any information about the contents of text messages on the phone."

"What did you know about the cameras at Sandra's apartment complex?"

"Nothing."

"What did you know about the last person to see Ms. Birchmore alive?"

"Objection."

"Sustained."

"What information did you know about visitor's to Ms. Birchmore's apartment on the evening of Feb 1, 2021."

"I did not have any information about that either."

"What did you know about a history of consensual choking between Ms. Birchmore and anyone who visited her apartment?"

"I knew nothing about that." [X source]

2:23:22 PM ET Run Brain Tully and John Fanning.

Run. https://t.co/4frXLpaVLS [X source]

2:25:31 PM ET "You said witness statements are helpful to you as to manner of death?"

"Yes."

"What witness statements were you given by the state police?"

"I was give no witness statements. Nothing in writing."

"Before you issued your report on may 6th, 2021, did anyone ask you to consider this as a homicide?"

"I was not."

"Would you have taken different steps?"

"Yes, the processing of the body and the collection of evidence would have been different."

"In 10 years, have you ever changed a death certificate?"

"Maybe once or twice, we don't take that lightly."

"Were those 1 or 2 times substantive changes?"

"Well, a death certificate can be amended under a number of different circumstances. If more information comes to light that can be reviewed, then we can amend if needed. If there is some mistake on the death certificate, like a word misspelled, it can be amended." [X source]

2:26:28 PM ET "In the case of Ms. Birchmore did new information come to light and did you change your ruling?"

"Yes, to asphyxia."

"And manner was no longer by hanging?"

"Correct."

"Who, if anyone, pressured you to change Ms. Birchmore's death certificate?"

"I was not pressured to change the death certificate." [X source]

2:27:19 PM ET "The death certificate now says suicide and undetermined?"

"No! It says asphyxia and undetermined."

"And what do you have to consider when you can't exclude something?"

"You have to consider further evidence and context." [X source]

2:28:48 PM ET "Why does the OCME have a specialist on site for specific organs?"

"We, as a rule, any homicides involving head injuries, the brain is automatically saved and given to the neuropathologist, or if there are cardio issues, the heart will be retained and given to the pathologist."

"Does the OCME have an asphyxia on staff?"

"No."

"Does the OCME have any experts on altered or staged crime scenes on staff?"

"Objection."

"Sustained."

"May I have one moment? Nothing further." [X source]

2:31:00 PM ET Cross by Kimberly C. Stevens.

"I'd like to start with your education, where did you go to school?"

"In Puerto Rico, then Stony Brook Hospital."

"What was your training like?"

"It involved study of diseases in the human body."

"Where did you go next?"

"To a residency with the OCME in Massachusetts."

"What does that fellowship involve?"

"During that fellowship you have to complete 200 full autopsies, most of them will be homicides, along with other regular cases like overdoses, natural deaths, you are required handle pediatric deaths, you are required to know how to process a scene, or photograph a scene or body, evidence collection, talking to law enforcement, etc." [X source]

2:31:53 PM ET "Do you have further training?"

"Yes, we get continuing medical education credits."

"Are you board certified?"

"Yes." [X source]

2:34:25 PM ET "Would your supervising doctor be doing the autopsy itself?"

"I would be doing the autopsy and they supervise during that point."

"How many autopsies have you done?"

"A combination of full and chart reviews and external exams? I would say I am 3,000 to 5,000." [X source]

2:36:04 PM ET "Do you work for an arm of the court system when doing a case? The prosecution or the defense?"

"No, we are working for the person who died and the family left behind."

"Do you begin your analysis with any open mind?"

"Yes."

"You said if someone said it was suspicious or a suicide, would that have changed how you did the autopsy

itself?"

"The autopsy itself? The procedure would have been the same except if there is neck trauma we tailor the neck dissection to that, but you still do a layer by layer dissection, etc."

"Did you do all of those things otherwise in this case?"

"Yes." [X source]

2:37:25 PM ET "What do you mean by the body may have been processed differently?"

"If someone is suspected to have died from an unnatural death, or under suspicious circumstances, and we get informed of that, we automatically not process the body and let the medical examiner do that particular process of processing the body. Certain things will be done during the exam, for example the x ray will be taken with a closed body bag so no one is handling the body, the clothes won't be removed, the body won't be taken out of the body bag to minimize exposure to anything that might contaminate the body itself." [X source]

2:38:29 PM ET "So, her clothes were removed by the ligature was still attached to her body?"

"Yes, that is standard procedure in our office."

"Noticing that the clothing was intact, how was it removed?"

"We don't cut or ruin the integrity of the items of clothing or persona property, these are meant to go back to the family if they are not kept as evidence, so we try to remove it undisturbed as possible. Sometimes you have to deviate, but we document that as well." [X source]

2:39:08 PM ET "Now, before you made your conclusion on the death certificate about cause and manner of death, cause being asphyxia by hanging and manner being suicide, you did obtain the existing scene photos, did you not?"

"I did." [X source]

2:40:38 PM ET "You said you heard about the state of the scene from law enforcement, here we look at a visual when the bedroom door if open and we see Ms. Birchmore hanging from the door. Can we zoom in on Ms. Birchmore? Is this a partially suspended hanging? Please describe that for us. Please pull the photo down."

"It's when parts of the body are touching the ground or the floor or the surface beneath. It could be sitting. It could be laying down. It could be on their tippy toes." [X source]

2:42:05 PM ET "You must see more suicides than you care to see?"

"Yes."

"More partially or fully suspended?"

"We see both. I don't really have a number."

"Exhibit 9 one more time please. When we talk about partially suspended and weight, does she have a portion of her body suspended there, umm, in mid air that is resting on the ligature?"

"Yes, her head, neck and part of her toro are not resting on the ground?"

"So the ligature is bearing the weight of her torse and Ms. Birchmore's head?"

"yes."

"And her weight at the time?"

"161." [X source]

2:43:30 PM ET "The officer's reported on direct that they made entry via a locked door into the apartment, correct?"

"I don't recall if I learned that before the autopsy or after I got additional information in 2024, but I did become aware at some point."

"And that is relevant to your investigation?"

"Yes."

"Exhibit 14 please."

We now see a picture of Sandra seated on the floor dead, her baby bump fully exposed.

"Pull that down please," says Kim Stevens. [X source]

2:44:34 PM ET "You said her chin is resting on her shoulder?"

"Yes."

Now Kim Stevens has us zoom in on Sandra's dead face. She is hanging from a door. Her belly is full exposed. Kim Stevens leaves the image up for minutes.

We are staring at Sandra's death mask.

"Pull that down please." [X source]

2:45:28 PM ET "Do you see lines or Ms. Birchmore's torso?"

We again see a shot of Sandra's dead body hanging from a door. This time from a different angle. Her baby bump hangs over her pants

"Pull that down please," says Ms. Stevens. [X source]

2:47:31 PM ET "Did she have a single ligature mark on her neck that you found?"

"Yes."

"At some point in your work your heard there were no drag marks, scuffs or signs of a struggle, is that a data point that you considered?"

"Yes, this was after my original cause and manner of death."

"Is that an important part of your evaluation?"

"Yes."

"And the pills at the scene? There was one bottle of antidepressants at the scene?"

"Yes."

This is going very badly, all around, for Brian Tully and John Fanning. [X source]

2:48:26 PM ET "Can you tell us about the importance of your autopsy report?"

"So, the body diagram and photos and all those pieces of information get taken at the time of autopsy and we use those to formulate a readable version of what we see during the autopsy." [X source]

2:50:23 PM ET "Is that report important to you as to explaining your findings years later in court?"

"Yes, it is, because that is an important way to refresh your memory."

"Can photos distort colors in some circumstances?"

"Umm, you can notice that certain details are not appreciated the same way in a photo as it is in person."

"And in person you're working with a 3D person?"

"Yes."

"And a photo can't capture the full extent of what you're seeing with your eyes when you're doing that autopsy?"

"Yes, that is why you capture multiple angles."

"And are you the person who performed the autopsy on Ms. Birchmore's body on Feb 5, 2021."

"Yes." [X source]

2:51:20 PM ET "External exam comes first for you, right?"

"Yes."

"And sometimes you only do an external exam?"

"Right."

"But here you did both an external exam and a full autopsy?"

"Yes."

"And you had x rays taken?"

"The night before yes, I believe we do that for bodies with ligatures because they only took the head and neck xray to most likely document the ligature or for ID purposes." [X source]

2:52:37 PM ET "OCME staff did go to the scene of Ms. Birchmore's death?"

"Yes, the removal team. Once the case is accepted, the body does get collected."

"Are there some suicides where the OCME does not accept the body?"

"No, anything that is unnatural, including suicide, the body will come to our office. The only time when that wouldn't maybe come to our office, say a suicide hanging, would be someone with a well documented history who was in the hospital for months on months. Even then, that person would probably still come in." [X source]

2:54:37 PM ET "And you took X-rays the night before Feb 5th, 2021?"

"Yes."

"Is this an Xray?"

"Yes."

"What shows up on an Xray?"

"You can see bones, you can see metal, you can see items of clothing, just different objects you can see."

"Is there an R above the head?"

"That is a marker that the xray tech puts to say that this is a right lateral image of the skull."

"And being a right lateral image the metallic part of the ligature does that mean its resting on the right side of her neck?"

"Not per se, that's about the head itself not the ligature."

"Maybe I have it backwards, was the metallic portion on the left side?"

"No, it was on the right, but I'm saying that letter R has nothing to do with the orientation of the ligature."

"Oh, okay." [X source]

2:55:53 PM ET "We saw Ms. Birchmore's body at the scene, and she was found on Feb 4th, so she would have settled in with the weight of the partial suspension over 3 days?"

"Uhhhhhhh....yes."

"And you said perhaps in a 23 year old the hyoid bone would be more mobile?"

"Yes, usually the hyoid bone for someone in their 20's, the hyoid bone is not fused."

"It's a free floating bone in our skeletal system?"

"So to speak, yes." [X source]

2:56:49 PM ET "So, if she's leaning to her left, the force would push the ..."

"Objection."

"Sustained as to form."

"If the weight of her head and neck were resting on the left side of the ligature would that push her hyoid bone to the right?"

"I can't be sure unless I know the position of the ligature relative to the hyoid."

"Was her weight suspended and bearing force to the left?"

"Yes." [X source]

2:57:25 PM ET "Let's pull up exhibit 550, your honor."

I am convinced KP, Tully and Fanning have a media mole, so I'm making them type every word.

Every, single word.

They will enjoy this. I am sure. [X source]

2:58:19 PM ET "Did you notice anything during your exam due to decomposition of the body?"

"Yes."

"And that is within your specialty?"

"Yes." [X source]

2:59:39 PM ET "And a fractured hyoid bone, without hemorrhage, would suggest it happened after the death event?"

"It could suggest that, yes."

"And did you note the hyoid bone fracture in your initial report?"

"No."

"But you did note a hemorrhage?"

"Yes."

"And your bench notes, and your autopsy report, note no hemorrhage at the site of the fracture of the hyoid bone?"

"No."

"Is that important to you as to accurate notes?"

"Yes." [X source]

3:00:58 PM ET "Do your photos include case numbers?"

"Yes."

"We move to admit 530, your honor."

Admitted and published.

It is a picture of Ms. Birchmore wearing an Apple Watch at the time of hear death on her left arm. Her hand is blue. It is heartbreaking. [X source]

3:01:36 PM ET "On Feb 23, 2021, other tests were performed on the body of Ms. Birchmore?"

"Do you mean the Feb 26, 2021, collection of biological evidence?"

"I am, I must have mistyped to the 23."

Damn this witness has a good memory. [X source]

3:02:16 PM ET "In any event, what did you collect for that test?"

"Fingernail clippings, vaginal, anal and other swaps."

"Did you see any evidence of a violent assault in that area?"

"No." [X source]

3:03:31 PM ET "Now, in your work with families of those who have died, is it your experience as a medical examiner that loved ones are..."

"Objection."

"Counsel, not sure the foundation for 701 here."

"Yes, your honor."

"Do you work at times with family members of those who have died?"

"Yes."

"And are they sometimes surprised, upset or shocked that their family members died by self harm?"

"Objection."

"Counsel break it down." [X source]

3:03:57 PM ET "Are family members surprised when a loved one commits suicide."

"That does happen on occasion, yes."

"Exhibit 38 please." [X source]

3:05:26 PM ET This is a picture of Sandra dead on the ground after she has been lowered from the closet door handle.

Sandra's face is blocked by a black box.

"Is this a fluid stain on her sweatshirt?"

"It could be."

"Fluids were coming from her nose?"

"Yes, that is part of the decomposition process. Fluids get expelled rom the nose or mouth, so you will see them on clothing or the ground or the vicinity of the person who has died." [X source]

3:09:30 PM ET "Do you see a metal chain or a necklace here?"

"Yes."

"And on May 6th, 2021, you signed the final report?"

"Yes."

"With cause being asphyxia and manner being suicide?"

"With cause being asphyxia by hanging."

"Your honor, we move to admit this exhibit."

"Objection."

"Counsel, can we see it on the screen for court and counsel...I'll allow this. I think it is 803 (8) and 403 given the nature of the discussion. 573 may be admitted. The only question I have is the information on the second page about third parties."

"Your honor, we'll only use the first page now, and then we'll redact it."

"That's fine." [X source]

3:10:14 PM ET "Is this part of your duties?"

"Yes, we declare a cause of death."

"What did you say here as cause?"

"Asphyxia by hanging?"

"Manner?"

"Suicide." [X source]

3:11:18 PM ET "Did you have a meeting with the FBI, and DOJ in August of 2024?

"Objection."

"Foundation."

"Sustained." https://t.co/C3Fe26Z5Jq [X source]

3:13:04 PM ET "Present at this meeting was special agent Leah Ferrera?"

"Yes."

"And Michelle Gamble of the FBI?"

"Yes."

"And Liz Riley of the US Attorney's Office?"

"Yes."

"And Bill Smock?"

"Yes."

"And John Fanning of the state police?"

"Yes."

"And Matt Dunne from MSP?"

"Yes."

"And then Mindy Hull?"

"Who is she?"

"The Chief Medical Examiner."

"And then counsel for the OCME?"

"Yes."

"Do you remember this meeting?"

"I do."

"Move to admit."

"Objection."

"Counsel, ask the other questions." [X source]

3:13:54 PM ET "What happened at this meeting?"

"We didn't organize this. This was at the request of people outside of our organization. Those people wanted to bring to our attention information about the death of Sandra Birchmore and Matthew Farwell."

"Have you ever been to such a meeting?"

"No." [X source]

3:14:34 PM ET "Did Bill Smock MD ask you questions at this meeting?"

"Yes."

"Did he tell you his theory?"

"Yes."

"Was his theory different from what you believed happen?"

"Objection."

"Sustained as to form." [X source]

3:15:49 PM ET "Was he communicating a different opinion than you?"

"Yes."

"How long did that meeting last?"

"I can't recall. One or two hours. I can't recall."

"Did you explain your position to the people in the meeting?"

"Objection."

"Basis, counsel? Counsel, I'll hear you on whispertech." [X source]

3:16:46 PM ET Sidebah! [X source]

3:19:13 PM ET "We move exhibit 763."

Admitted and published. [X source]

3:19:33 PM ET Wow that sign in sheet was way different than what Ted Daniels got. [X source]

3:21:20 PM ET "Did the FBI send you more materials in 2024 about Ms. Birchmore's death?"

"Yes."

"And history is important?"

"Yes."

"Including medical and mental health history?"

"Yes."

"Were you told Ms. Birchmore got into an argument with her mom and..."

"Objection."

"Overruled."

""Were you told Ms. Birchmore got into an argument with her mom and in reaction swallowed pills?"

"I can't recall if that was one of the things that was shared."

"Did they tell you about Lesyley Davis saying Sandra Birchmore had cut marks on her list?" [X source]

3:22:02 PM ET "And did the government share with you Ms. Birchmore's journals?"

"Yes."

Wow, so Fanning gave her the journals and nothing else. [X source]

3:22:25 PM ET "Did they tell you in 2017 and 2018, during a break up with a boyfriend..."

"Objection!"

"Hearsay!" [X source]

3:23:13 PM ET "Did the government tell you that she sent texts about cutting?"

"No."

"Did Ms. Birchmore, at the age of 23..."

"Objection, your honor, Ms. Birchmore died when she was 23!"

"Sustained." [X source]

3:23:33 PM ET "Did the government tell you on Feb 1, 2021, Ms. Birchmore searched for what color is the suicide ribbon?"

"Yes." [X source]

3:25:11 PM ET "And you changed your opinion following a review of all the information to undetermined?"

"Yes."

"How is undetermined defined in your field?"

"A classification used when one manner is no more compelling than any other."

"So your final conclusion was undetermined?"

"Yes."

Long pause. [X source]

3:25:44 PM ET "Fractured hyoid bones do occur in partially suspended hangings?"

"They can."

"And that can occur in people under 30?"

"They can." [X source]

3:27:36 PM ET "Did you have a consultation meeting before making your final report in this case?"

"Yes."

"And, before that, were you for some reason under the impression you couldn't do that?"

"Yes."

"And then you changed your opinion after that consultation and further review?"

"Yes." [X source]

3:28:51 PM ET I see someone trying to keep up with my transcript. I am going to wear them down until they can no longer go.

It simply can't be done. Not word for word. [X source]

3:30:43 PM ET "To be clear, the ligature is not in this bag as pictured in this exhibi8t, is it?"

"It is not."

It is a censored photo of Sandra on a gurney. Her clothes are next to her a clear plastic bag.

"Was the mark on Sandra's neck consistent with the mark on her body at the scene of her death?"

"Yes."

"May I have one moment your honor? May I inquire from hear your honor? Did the DOJ tell you about Dr. Zoey Zundel from the Army reviewed your report?"

"Objection."

"Sustained as to hearsay."

"Yes or no, counsel?"

"I don't know." [X source]

3:31:00 PM ET "Nothing further."

"Redirect." [X source]

3:31:42 PM ET "You were asked on cross whether or not it is possible to have a fractured hyoid bone in a seated hanging and you said yes?"

"Yes."

"Have you ever seen a fractured hyoid bone for a person under 40 in a seated hanging?"

"Not that I can recall."

Boom. [X source]

3:32:22 PM ET "You were asked on cross if you got information about a journal entry on cutting?"

"Yes."

"And did you know that was from 2017 and 2017?"

"I don't recall that information about the cutting."

"Did her body have any signs, new or old, of cutting?"

"No." [X source]

3:33:05 PM ET "Before you issued your May 6, 2021 ruling, did you have any DNA information at all?"

"No, none whatsoever."

"What about whose DNA was on the underwear?"

"Nothing."

"What about information about DNA on the ligature?"

"Nothing." [X source]

3:33:29 PM ET "Have you had a situation where multiple loved ones called you and encouraged you to look into something as a homicide?"

"Objection."

"Sustained." [X source]

3:35:23 PM ET "You were asked about whether you knew Ms. Birchmore's door was locked on Feb 4, 2021, do you recall that?"

"I can't recall if if I knew that on that day."

"What information did you have about who had a key to Ms. Birchmore's apartment?"

"I did not have that information."

"What did you know at that time about whether a key was even needed to lock that door?"

"I had no information."

"You were asked about Ms. Birchmore, how tall was Ms. Birchmore?"

"4'10."

"And would it be important to know the size of the other person involved?"

"I'm not sure."

"What did you know about Matt Farwell's height at the time?"

"Objection."

"Sustained." [X source]

3:36:14 PM ET "Have you determined manner of death based on chart reviews?"

"For some cases, yes."

"And in those chart reviews you weigh in on cause and manner of death based solely on reports and photos?"

"Also medical records and records that are part of the chart."

"But you don't examine the body?"

"Not the physical body no." [X source]

3:36:54 PM ET "You said you've never seen a hyoid bone fracture from a partial hanging under 30, but have you ever seen a hyoid bone fracture from someone thrusting into a ligature?"

"I can't recall." [X source]

3:38:50 PM ET "You said you and nine of your colleagues were present in August of 2024?"

"I can't recall how many we were but there were a few."

"But it was just me and one agent, Leah Ferrera?'"

"Objection."

"Michelle Gamble is a photographer, right?"

"Yes."

"And you've met multiple times with the defense team in this case?"

"Twice."

"And did all six women representing Matthew Farwell come to that meeting?"

"Objection."

"Sustained." [X source]

3:39:44 PM ET "A moment please your honor?"

"Yes." [X source]

3:40:09 PM ET "Recross."

"We met for the first time in 2026?"

"Yes."

"After the death certificate had been amended?"

"Yes." [X source]

3:41:28 PM ET "Recently, you provided an example under 30 of a woman who hanged herself in jail?"

"Objection."

"Overruled, counsel get to the question."

"Did the OCME offer Ms. Riley an example of a partially suspended hanging in a jail?"

"The person was not under 30. They were 42."

Mic drop. [X source]

3:41:41 PM ET "Dr, you are excused." [X source]

William "Billy" Farwell

3:42:01 PM ET "The government calls William Billy Farwell!" [X source]

3:42:12 PM ET BREAKING NEWS:

"The government calls William Billy Farwell!" [X source]

3:42:45 PM ET He takes the stand.

He is really tall.

He is a yellow tie. Blue dark suit jacket. Light blue under shirt. Brown belt. [X source]

3:43:37 PM ET Brian A Fogerty on direct;

Name?"

"William Farwell."

"How old are you?"

"40."

"Do you know Matthew Farwell?"

"Yes, he is my twin brother."

"Is he here today?"

"Yes, he is seated there in a blue suit."

"Are you fraternal twins?"

"Yes."

"Did you previously work for Stoughton PD?"

"Yes, from 2017 until 2022." [X source]

3:44:04 PM ET Farwell will not look at his brother. he turns his face away. [X source]

3:45:06 PM ET "When did you have sexual contact with Ms. Birchmore while you were a Stoughton PD officer?"

"Starting in 2018. She was between 20 and 21, I don't have the exact age."

"Did you ever have sexual contact with her when she was underage?"

"Did you ever sleep with Ms. Birchmore while you were on duty?"

"Yes."

"Are you testifying under a grant of immunity today?"

"Yes." [X source]

3:45:31 PM ET BREAKING NEWS:

William Farwell has been given immunity in the Sandra Birchmore and Matthew Farwell case.

Oh dear God, it is really happening. [X source]

3:45:44 PM ET Judge gives the immunity instruction to jurors. [X source]

3:47:54 PM ET "Mr. Farwell what is your understanding of the grand of immunity in this case?"

"My statements may not be used against me."

"When can they be?"

"If I fail to disclose the truth or if I lie."

"Why did you want immunity?"

"Having sexual relations while on duty as a police officer."

"Where did you grow up?"

"Stoughton."

"Where did you go to high school?"

"Stoughton High."

"Did you brother attend with you?"

"Yes."

"What was the police explorer's program?"

"It exposes young children to the police department."

"What was your role as a child in that program?"

"I was an explorer on post, as well my bother." [X source]

3:48:11 PM ET "How did Michelle Farwell and Matthew Farwell meet?"

"At my wedding."

"Objection."

"Overruled." [X source]

3:48:25 PM ET "When was your wedding?"

"March of 2007."

Oh God. [X source]

3:50:53 PM ET "Mr. Farwell do you recognize the person in this picture identified as the bridge and groom?"

"Yes."

"Did you attend Matthew Farwell's wedding?"

"I did."

"Move to admit exhibit 160."

"Objection to it coming in through this witness."

"I'll reserve on this but you can go forward with the other questions on this?"

"Did you attend Matthew Farwell's wedding on May 11, of 2013?"

"I did."

"After you graduated from high school, did you join the military?"

"I did."

"As a adult, did you become an on and off volunteer for the police explorer's program?"

"Yes, in a limited role, I would talk about opportunities in the military."

"Why was your involvement limited?"

"I had a family and a full time job with the military."

"Did this occur before you were hired as a Stoughton PD officer?"

"Yes."

"When did you join the department?"

"September of 2017." [X source]

3:51:10 PM ET "What job did you and your brother have?"

"I was a patrol officer, my brother was a detective." [X source]

3:53:18 PM ET "What is your recollection of interacting with Ms. Sandra Birchmore before she turned 18?"

"I do not recall interacting with her before she turned 18."

"Exhibit 402 for the witness and counsel please, Your Honor I believe this is already in evidence."

"Okay, it can be published."

"Mr. Farwell, do you see the first date on the second column of this exhibit?"

"Yes, 6/26/2018."

"What is that first message?"

"From Sandra Birchmore to Billy Farwell, and it asks you if you need anything on your detail."

"Yes."

"Was this you and Ms. Birchmore communicating by Facebook messenger?"

"yes." [X source]

3:53:59 PM ET "What is the reference to you being on a detail?"

"I was working a paid construction detail."

"What is a paid construction detail?"

"It is usually hired by the town or a contractor when they are on a public way, police officers are hired to provide traffic saftey." [X source]

3:54:55 PM ET "Mr. Farwell, were you Ms. Birchmore's Facebook friend before this message?"

"I was not." [X source]

3:57:34 PM ET "Ms. Birchmore says if there's ever a hot day, and you need something, let me know..."

"Yes, and then I say, thank you."

"About an hour later, Ms. Birchmore then says can you do me a favor, do you see that?"

"Yes."

"What do you say back?"

"I work for the bomb sqaud, do the military still...what's up?"

"Ms. Birchmore says I know, I forgot about that, can you check my DD-214 to see if you can check my chapter to see if there is anyway I can get back in...I showed it to you back in the spring."

"Yes."

"Were you still in the military at this time?"

"Yes."

"What's a DD-214?"

"A discharge from active duty?"

"What does she mean by check the chapter to see if she can get back in?"

"So, when a DD-214 is published, it includes a line in reference to sections of the UCMJ which determines if someone can re enlist in the army." [X source]

3:58:17 PM ET "What did you take this to mean?"

"That Sandra wanted to re-enlist in the military." [X source]

3:58:51 PM ET "Do you recall discussing this with her two years earlier?"

"I do not."

"How long were you in the military?"

"Just under 23 years."

"How many people have you talked to about that?"

"100's." [X source]

3:59:39 PM ET "Down a few messages, does it say Sandra has to wait a minimum of 3 years?"

"Yes, then I say I have some recruiting buddies who work magic as well."

"She says, okay sweet I am out at 10pm tonight, so I will send it after 10:15 or 10:30."

"Yes, then I say K." [X source]

3:59:58 PM ET "What did she then send you a picture of?"

"I think it was her DD-214." [X source]

4:00:48 PM ET "At this point, in July of 2018, what if anything did you know about Matthew Farwell having sex with Sandra Birchmore?"

"In July of 2018? I had no knowledge." [X source]

4:01:35 PM ET "Shortly after you connected with Ms. Birchmore, did your relationship change?"

"Yes, we began a consensual sexual relationship."

"Was she an adult?"

"Yes."

"Where did those encounters occur?"

"Either in one of our vehciles or at the house that she lived at with her aunt."

"Counsel, given the time, we are done for todasy> [X source]

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