

UNION LEADER

UnionLeader.com

Saturday, September 20, 2008

Vol. 146, No. 150 • 40 Pages • 50 Cents

Witness rethinks cause of death

◆ **Brooks trial:** Medical examiner says accused might not have struck the fatal blow.

By **TRENT SPINER**

Union Leader Correspondent

BRENTWOOD — John “Jay” Brooks might not have killed Jack Reid Sr., said a medical examiner who performed an autopsy on the Derry trash hauler and handyman.

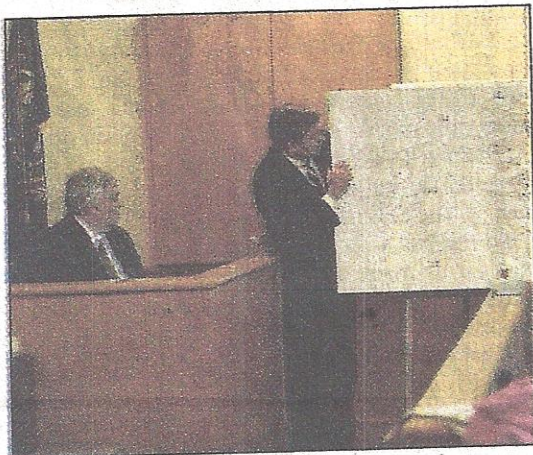
Dr. Richard Evans testified yesterday he had a new theory about how Reid suffered eight to 10 broken ribs — rocks dropped on his chest after death.

Evans told prosecutors from the Attorney General’s Office about the new theory on Wednesday night, more than three years after Reid’s death. Prosecutors, in turn, told Brooks’ defense yesterday morning.

Before the trial began, prosecutors alleged Brooks hit Reid in the chest with a sledgehammer while shouting, “Stop the heart, stop the bleeding.” In her opening statements to the jury last week, Senior Assistant Attorney General Kirsten Wilson backed away from that allegation, instead focusing on how Brooks was at the center of a

► See Reid, Page A10

Medical Examiner Testifies



TRENT SPINER

Defense attorney Martin Murphy questions Dr. Richard Evans about his assessment of injuries Jack Reid Sr. suffered on June 27, 2005. Evans, a Massachusetts medical examiner, testified yesterday in the murder trial of John Brooks.

► See Reid, Page A10

years-long plot to kill Reid.

Evans, who works for the state of Massachusetts as a medical examiner, said blows to the head with a blunt object killed Reid, not a sledgehammer to the chest. One 3-inch symmetrical hole on the left side of Reid's skull was joined by a hairline fracture to another depression in Reid's forehead, Evans testified. Reid's entire face was covered with a dark, purplish bruise, Evans said.

One of Brooks' alleged accomplices, Michael Benton of Manchester, has already testified that he hit Reid in the head, with a sledgehammer, but did not deliver the fatal blow. He said he could hear a number of "thumps" while he stood outside a Deerfield barn during the summer of 2005. When he came back in, he testified, he saw Brooks and two other alleged co-conspirators wrapping Reid's body in plastic. Benton is already in jail for the murder and agreed to testify against Brooks after making a deal with the Attorney General's Office.

While Evans did not rule out the idea that Reid was hit with a handheld sledgehammer in the chest, he said the hammer alone would not have been able to break so many ribs. Evans also said the damage, a straight line of broken ribs, probably was not caused by someone jumping on Reid's chest.

Reid's body was found on July 5, 2005, dumped in the back of his own pickup truck in Saugus, Mass. Along with his body, wrapped in duct tape and plastic, were some rocks and sticks. Evans said his rib damage could



TRENT SPINER

Dr. Richard Evans, a medical examiner from Massachusetts, testified yesterday in the capital murder trial of John "Jay" Brooks.

have been caused by those rocks being dropped from a height consistent with that of Reid's dump truck.

Evans' testimony comes just before another accomplice is expected to be on the stand. Joseph Vrooman, who has already pleaded guilty in connection with the murder, has been nicknamed "trampoline man" in jail for repeatedly telling other inmates he killed Reid by stomping on his chest, authorities have said. Vrooman, of Las Vegas, is expected to be called by prosecutors to testify next week.

Evans also said those chest injuries were likely caused after

death or near death.

Even if Brooks did not deliver the fatal blow, he can still be found guilty of capital murder for allegedly paying the men who did kill Reid and organizing the plot to kidnap him in a Deerfield barn, according to authorities.

His attorneys were outraged they only found out about the theory moments before trial was set to begin yesterday, calling it a "trial by ambush." With jurors outside the courtroom, defense attorney Martin Murphy asked a judge to limit Evans' testimony.

"It's not even the 11th hour," he said. "It's somewhere like 11:59."

But Assistant Attorney General Karen Huntress argued for the testimony to be allowed.

"Justice is a truth-seeking process," she said. "The jury deserves all of the evidence."

Judge Robert Lynn said it was not the prosecution's fault that the new theory turned up so late, and he agreed to let Evans testify.

Brooks, 56, a multi-millionaire, is on trial on two alternative counts of capital murder: first-degree murder and conspiracy to commit murder. If he is found guilty of either capital murder charge, he will be sentenced to life in prison or death.