

**The
Death of
Doctor Gilmore's
Wife**

Gary Ludwig

Copyright © 2012
Gary Ludwig

ISBN 13: 978-0-9815099-5-2

Library of Congress Control Number 2012913757

All rights reserved. No part of this book may be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system, without permission in writing from the copyright owner.

This book was manufactured in the United States of America.

Basket Road Press, Incorporated
Harrisburg, PA USA

First Edition

This book is distributed internationally
and is available on the Internet and wherever books are sold.
For information or to order additional books contact:
info@basketroadpress.com

Chapter 1

Death at the Gilmore House

It would be years later that Doctor Irvin Gilmore would be put on trial for criminal homicide. Facts and rumors prevailed and would get mixed up long after Patrolman Thomas Dougherty of the Muhlenberg Police Department entered the Gilmore residence that Thanksgiving morning, November 27, 1980, and failed to recognize the house as a possible crime scene. His job on that gloomy day with overcast clouds, drizzling rain, and a chilly 35 F degrees, was to routinely patrol the affluent villages of the Muhlenberg area and make sure plenty of peaceful quiet was maintained for the traditional family holiday. His patrolling turned out to be far from routine. He happened upon a situation he was not prepared for, and because of that did not follow basic police protocol—he compromised the possible crime scene by traipsing around and handling potential evidence. Most importantly however, he failed to request experienced crime investigators to come to Doctor Gilmore's home immediately.

Around 8 a.m. Dougherty overheard on his radio a dispatch call that the Muhlenberg Ambulance was responding to the Gilmores' South Temple home. Dougherty was only a block and a half away from the Gilmore house when he monitored the emergency call. Dougherty, like all the Muhlenberg cops and other emergency workers, knew Doctor Gilmore, and he immediately recognized the address. Gilmore had given Dougherty his physical when he was hired, and treated him for colds and other minor ailments; and Dougherty also had known Patty for about three years—since he became a member of the Muhlenberg Police Force.

Dougherty later testified that he drove the block and a half to see if he could be of any assistance. He was northbound when he arrived at the location, pulling up on the wrong side of the street so that the driver's side of the patrol car was against the curb in front of the house. He recalled that a young man, who identified himself as Barry Gilmore, Doctor Gilmore's son, met him at the curb, asked him to hurry up, and told him that he believes Patty Gilmore was dead. Officer Dougherty entered the house and went upstairs to the second floor bedroom where Doctor Gilmore was. Patty was lying on the bed.

Dougherty was now already in over his head. He failed to realize that he could possibly be in the midst of a crime scene, that he should make sure that nothing was disturbed, and that he should place a call to his superior officer before allowing the body to be moved. Muhlenberg Police would then have had the option of doing a preliminary on-site investigation and contacting the Berks County District Attorney's office if they felt it was warranted.

According to Dougherty's testimony given at the Gilmore preliminary hearing the following year on July 29, 1981, he stated that when he entered the bedroom Patricia Gilmore was lying on the left side of the bed on her back. He immediately went over to her and felt her neck to see if he could feel a pulse. He recalled that the neck was very stiff, there was no pulse, and the body was very cold. He noted that Doctor Gilmore was on the right side of the bed on the telephone. He said he didn't know whom Doctor Gilmore was talking to, nor did he overhear any of the conversation. Despite the room being poorly lit, he noticed that the body had a grayish tint to it and he didn't notice any bruises, marks, or cuts —no contusions on her face. Dougherty would also testify that he

didn't see any contusions on her face after he observed it later at the Reading Hospital. He did, however, notice several needle marks on her right buttock. Dougherty testified that Doctor George Kershner, a member of the hospital staff, pointed out the marks to him. When the ambulance arrived, Dougherty got Doctor Gilmore to go downstairs and into the kitchen because he didn't want him to watch the ambulance personnel remove his wife's body.

Lucille Genslinger, driver and attendant for the Muhlenberg Ambulance Association, was on duty that Thanksgiving Day from 6 a.m. until twelve noon. She responded, with two other crewmembers, to a call at the Gilmore residence at 9 a.m. Barry Gilmore greeted Genslinger and her crew and escorted them to the second-floor bedroom.

Genslinger testified that she found Patty lying on her back and checked her carotid artery for a pulse; she failed to find one. While her two attendants went downstairs to get the equipment needed, she remained upstairs and stayed in the bedroom. She recalled that the body was cold and blue, and rigor mortis was starting to set in, and she noted that no body secretions or fluids were on the bed or the body. She testified that she did not see any bruises or contusions on Patty's face.

Dougherty later recalled that Doctor Gilmore was highly upset, crying, and walking around in a daze, a state of shock. While he sat in the kitchen with Doctor Gilmore, Dougherty began his own police investigation instead of calling for experienced help. He observed the kitchen, typical in almost every way. Gilmore said Patty was preparing dog food for the dog. It was sitting on the counter. There were pots, pans, and bottles on the counter and in the sink.

Dougherty asked Gilmore when was the last time he saw his wife alive, and if she was depressed or on any kind of medication. The doctor said that he didn't think his wife was taking any medication, and that he hadn't noticed any signs of depression. He said that he had gone to bed early the night before, leaving Patty and his daughter-in-law Linda Gilmore sitting in the kitchen, where they talked until about 2 a.m. when Linda went to bed.

After finishing his questioning, Dougherty conducted a preliminary search of the house, particularly the room where Patty was located. The officer observed nothing out of the ordinary in that room or any of the other rooms upstairs located on both sides of a center hallway, but Gilmore's son, Barry, mentioned that he believed a syringe was missing from the doctor's bag. The medical bag was located in a front room, used as a study, on the left side of the hallway adjacent to the Gilmores' bedroom. On the right side of the hall, across from the bedroom, was a back room with attached bathroom that Patty used for a dressing room. Barry Gilmore showed Dougherty the bag, but the officer never asked Barry or Doctor Gilmore if the bag was moved into the room before he arrived, or if that's where they found the bag in the morning. No inventory of the bag's contents was taken, although a chrome instrument—possibly an empty syringe protector—and vials of medication were observed.

It was in the dressing room where he found the syringe. Dougherty testified that he found it on a table across from a dressing chair, a lounge-type chair. He stated that there

wasn't any needle in the syringe, and that he looked for the needle all over the upstairs of the house but failed to find it.

In what surely was a serious breach of basic police work, Dougherty kept the syringe in his possession, after finding a small amount of a brown-colored liquid in it, until he personally carried it to the Pennsylvania State Police Laboratory in Bethlehem, Pennsylvania.

When Dougherty picked up the syringe, Gilmore or Barry reportedly commented that Dougherty should be careful with it in case of fingerprints, and that his response was that it wasn't necessary because it was obviously a suicide. Later Dougherty denied having said that when he testified at the Gilmore preliminary hearing on July 29, 1981, eight months after Patty's death. Questioned further by defense counsel, he was asked if it is possible that he made the comment and simply didn't remember it. Dougherty responded, "All I can say is I don't recall making it."

Dougherty testified that he didn't see any contusions on Patty Gilmore's face after he observed her body at the Reading Hospital, only the needle marks on her right buttock that Doctor Kershner had pointed out to him.

In Dougherty's official report, he used the terminology "upper right thigh, the rump cheek" in describing the location of the marks. When asked later by defense counsel what he meant by that he said he meant the marks were above her thigh but below her waist. He confirmed at that time that the marks were on the buttock, and that they were in fact needle marks.

Dougherty stated that it was he who had raised the question of an autopsy, but he didn't talk directly with the coroner's office. Instead he asked Doctor Kershner to tell the coroner's office that he requests that an autopsy be done. He also informed Kershner that when the autopsy is scheduled he was to contact the Muhlenberg Police and that somebody from their office would be present.

Officer Dougherty had arrived at the Gilmore house at approximately 9:02 a.m. He spent just a short time there; after about twenty or twenty-five minutes he was on his way to the Reading Hospital, where he met with Kershner and the Muhlenberg Ambulance attendants.

Prosecutors had questioned Genslinger why her crew didn't try to render any assistance to Patty Gilmore. She testified that due to the condition of the body, and with Doctor Gilmore present, she felt if the body could have been resuscitated, it probably would have been tried before the ambulance's arrival. What turned out to be a very important element of the impending legal case was the possible bruising of the body during this transport, and of course once the body arrived at the hospital.

The body, dressed in a nightshirt and bikini underpants, was placed on a very heavy canvas-type litter, which is flexible and more convenient for ambulance personnel to carry people downstairs. Once downstairs, the body and canvas litter were placed right on the ambulance litter. The body was secured with three straps on the canvas litter and three straps on the ambulance litter itself. In addition the ambulance litter is secured by a bar that runs alongside the ambulance and is locked in.

Genslinger testified that she rode in the back of the ambulance with the body during the ride to Reading Hospital, that the face was not covered during the trip, giving her more opportunity to confirm the lack of any bruises or contusions. Genslinger stated that she did not at any time observe the body being bumped or bruised in any way, or that anything hit the body, and that the body did not bump or touch the sides of the ambulance. Genslinger confirmed that she did not see anything come in contact with the body at all.

At the hospital the body was turned over to Doctor Kershner, who, as Officer Dougherty had already found out, was the doctor on duty. Genslinger knew Kershner by sight and by name. The body was then transferred from the ambulance litter to the hospital litter. Genslinger testified that she did not see the body strike any object or any object strike the body while it was being turned over to Kershner.