

## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION

	)	
UNITED STATES OF AMERICA	)	
	)	Nos. 3:75-CR-26-3
ν.	ý	5:06-CV-24-F
	)	
JEFFREY R. MACDONALD		)
	)	

## AFFIDAVIT OF ROBERT L. SADOFF, M.D.

- I, Robert L. Sadoff, being first duly sworn, state as follows:
- I. I am currently a psychiatrist in private practice and serve as Clinical Professor of Psychiatry and Director of the Forensic Psychiatry Fellowship Program at the University of Pennsylvania Perelman School of Medicine. I have been a member in good standing of the American Psychiatric Association for over 45 years.
- 2. I first examined Jeffrey R. MacDonald in April of 1970, prior to the Article 32 hearing convened by the Army that summer.
- 3. At that time, my experience included prior service (1963-65) in the US Army. I had been Captain in the Medical Corps at Fort Dix, NJ, where I was in charge of psychiatric evaluations of military personnel facing court martial or serving time in the stockade.
- 4. After Serving in the United States Army, I became a Fellow in Forensic Psychiatry at Temple University in Philadelphia, Pennsylvania, from 1965 to 1966.
- 5. From 1966-1968, I served as the first Clinical Director of the State Maximum Security Forensic Diagnostic Hospital at Holmesburg Prison in Philadelphia.
- 6. I testified at the Article 32 hearing in August, 1970 regarding my psychiatric evaluation of Capt. MacDonald (April 1970). I took into account many variables, including my knowledge that Captain MacDonald had recently been named a suspect when I interviewed him (in April, 1970), and thus, I looked carefully for signs of psychopathology or antisocial personality disorder. I also looked

for any signs of deception that might occur due to his own medical training and knowledge.

- 7. Given the nature of the February 1970 murders, I specifically looked to identify a sociopathic or psychopathic personality disorder in Captain MacDonald. I testified that this disorder, should it be present, might explain in some manner the destructive behavior that existed at his home that night. In addition, a sociopath would have a fairly bland response to such horrible events, not feeling guilty or remorse. I did not see any evidence of sociopathic personality disorder or psychopathology, or character and behavior disorders in Captain MacDonald, and testified as such at the Article 32 hearing.
- 8. I also testified that I had a forensic psychologist, Dr. James Mack, evaluate Captain MacDonald, including a battery of psychological tests. Dr. Mack's opinion confirmed my own conclusion: Captain MacDonald did not exhibit any signs of prior or current psychopathology.
- 9. In January of 1975, I gave a deposition which was included in the Grand Jury proceedings of that year. The prosecutors came to my home because I was very ill with the flu.
- 10. In July of 1979, I evaluated Dr. MacDonald before he was to stand trial in North Carolina. I intended on testifying, but was informed that no psychiatric testimony was going to be allowed.
- 11. After the trial, I spoke with author Joe McGinniss on a few occasions. He was writing his book about the MacDonald case. We discussed a variety of topics that were of interest to him. The substance of what we discussed can be found in the testimony that I had given in the civil case in California in 1987 (specifically, see pg 266).
- 12. I submit this affidavit to clarify words and actions attributed to me in the recent government filing. (Doc 344 pg 56), which I do not believe accurately reflect my opinion.
- 13. I have no recollection of ever telling Joe McGinnis that my opinion "would have been very different" on any basis, including his own hypothetical about Dr. MacDonald experiencing a drug-induced psychosis on the night of the murders, or the vague references to "other matters." My opinion has not changed throughout all this time. My testimony has been consistent, and my opinion has always been

that Dr. MacDonald did not have psychopathology that would have been consistent with the violent behavior that occurred on the night his family was killed. That has been my opinion consistently, and continues to this day.

Dr. Robert L. Sadoff

Country of muntgomery

Signed and sworn to before me this August, 2013

Mi commission expires: 02-21-17

COMMONWEALTH OF PENNSYLVANIA

Notarial Spall Anastasiya Yarash, Notary Public
Newtown Twp., Bucks County
My Commission Expires Feb. 21, 2017
MEMBER, PENISYLVANIA ASSOCIATION OF NOTARIES