

**EXECUTIVE SUMMARY OF EVIDENCE
REGARDING THE MURDER OF**

KENNETH MICHAEL TRENTADUE

**AND
COVER-UP OF THAT CRIME**

Kenneth Michael Trentadue died a violent and mysterious death while incarcerated at the Federal Transfer Center (“FTC”) in Oklahoma City, Oklahoma. He was a parole violator (failure to appear) who was supposedly sent from San Diego, California where both he and his parole officer resided to the FTC in Oklahoma City for a parole revocation hearing.¹ He arrived at the FTC on August 18, 1995. Trentadue was dead two days later. His family contends that he was murdered. The *Federal Bureau of Prisons* (“BOP”) claims that Trentadue committed suicide. The *BOP* claims that on August 20, 1995, Trentadue requested protective custody, was placed in the maximum security portion of the FTC known as the Special Housing Unit or “SHU” where high risk inmates are housed. By requesting to be placed in the SHU, Trentadue would be kept in solitary confinement twenty-four hours a day, deprived of recreational and telephone privileges and fed through a slot in his cell door.

According to the *BOP*, Trentadue was placed in the SHU before 8:00 a.m. on the morning of August 20, 1995. The SHU guards say that upon admission to the SHU, Trentadue was stripped and inspected for injuries and that “no cuts, bruises or marks of any kind were noticed” except for a small cut on his heel caused by “ill fitting shoes.” Upon his admission to the SHU, Trentadue was also given clean clothes and “new shoes.” **The 302**

¹ Trentadue’s probation officer imposed a no beer drinking requirement. Trentadue appealed that condition, but lost. He then stopped reporting to his probation officer. A warrant was issued for his arrest in 1987. He was arrested in June of 1995, in San Diego, California. During the interim, he had married, paid his taxes and had a two month old son, his first child, at the time of his death. He did not expect to serve more than two to four months for the violation.

Report of the SHU guard who examined Trentadue is included as Exhibit 1. In this *Report*, Trentadue is referred to as “Brockway” which was an alias he had used in the early 1980's prior to his federal conviction. Trentadue never used the name “Brockway” following his conviction yet the FTC personnel believe that his name was “Vance Paul Brockway.”

SHU guards are required to visually inspect inmates every 20 minutes. The *BOP* contends that Trentadue was observed by guards alive, unharmed and in bed at 2:38 a.m. on the morning of August 21, 1995, and that at 3:02 a.m. he was discovered by guards hanging fully suspended from a vent in his cell by a ligature made from strips of bed sheet.²

When discovered, Trentadue’s body was covered in blood with head-to-toe, front-to-back trauma. His throat had been slashed and Trentadue also suffered three massive blows to his head. The Oklahoma State Medical Examiner, Dr. Fred B. Jordan, documented Trentadue’s injuries on anatomical charts. **Those charts are included as Exhibit 3. The medical examiners *Autopsy Report* is included as Exhibit 4.** The *BOP* contends that Trentadue’s extensive injuries, deposits of blood, ultimate hanging and death occurred in quite a short period of time, from 2:38 a.m. at the earliest to about 3:02 a.m., a space of approximately 24 minutes.

The *BOP* claims that after the guards last saw Trentadue alive and in bed at 2:38 a.m. he used a pencil to write a suicide note on the wall of his cell, but did not sign that note with

²The guard in charge of the SHU at the time Trentadue’s body was allegedly discovered testified that Trentadue’s feet were actually suspended four inches above the sink from which he had supposedly jumped to hang himself. **That guard’s testimony is included as Exhibit 2.** Neither the FBI nor *BOP* investigators ever asked this guard how Trentadue could possibly hang higher than the object from which he had jumped to commit suicide.

his own name. Next, he patiently tore a sheet into a dozen strips. Trentadue then constructed a ligature from those strips of bed sheet. Once that ligature was manufactured, Trentadue remade his bed, climbed the wall of his cell and tied the bed sheet rope to a metal vent above his sink. Trentadue then tried to hang himself and was momentarily successful, but the bed sheet rope broke. Trentadue then fell, hitting the edge of the sink bruising his anal verge but somehow doing no injury to his buttocks. The impact of his body on the sink caused Trentadue to ricochet across the cell headfirst into the corner of a metal desk at the end of his bunk, producing a major wound to his forehead.

The *BOP* claims that the force of that impact caused Trentadue to rotate 180 degrees and careen across his cell to smash his head into the wall, creating a second major wound on the right side of his head, leaving blood and hair on the wall of his cell and tearing extensive areas of skin off of his back. Despite striking the desk with such force, the impact did not disturb the coffee cup or any of Trentadue's papers on the desk.

The *BOP* claims that while unconscious from his two head wounds, Trentadue rolled over on his stomach and bled profusely, depositing large pools of blood on the floor of his cell. When Trentadue regained consciousness, he attempted to get up but struck the back of his head on the metal stool attached to the desk, causing a third major wound on the back of his head. This third blow to his head further dazed Trentadue, who then crawled on all fours, with his clothing smearing the blood on the floor.³

³ The *BOP* offers no explanation for the injuries to Trentadue's knuckles and legs.

The *BOP* claims that Trentadue finally got to his feet and staggered around, leaving blood deposits on the walls and floor of his cell. He then stumbled to his bed and laid down to regain his senses. After a while, Trentadue used two plastic toothpaste tubes or a plastic knife to cut his throat, leaving blood on his pillowcase, sheet and blanket. When that second suicide attempt failed, Trentadue reconstructed the bed sheet rope and successfully hanged himself.

EVIDENCE OF HOMICIDE

The guards on duty in the SHU at the time of Trentadue's death all swear that he was alone and that no one entered his cell. In fact, they all swear that the door to Trentadue's cell was never opened until his body was removed after 3:00 a.m. on the morning of August 21, 1995. Despite that testimony, however, there is conclusive evidence that Trentadue was murdered by guards:

- **Autopsy Results.**

The medical examiner noted the following remarkable findings with respect to Trentadue's death: "acute fracture of the right tip of the hyoid bone;" "intramuscular strap muscle hemorrhage;" "petechiae and purpura of conjunctiva;" and a contusion "immediately above the anal verge" without any injury to the surrounding buttocks. These findings support only one conclusion: assault and death by strangulation.

- ***BOP Polaroids.***

A *BOP* officer took 8 Polaroid photographs of Trentadue's body and/or cell before 4:30 a.m. on the morning of August 21, 1995. That officer did not, however, photograph the entire cell. Nor did he photograph all of Trentadue's injuries. **These Polaroid photographs are included as Exhibit 5.**

Those Polaroid photographs disappeared that morning and were not found until 1998 years after the Grand Jury investigating Trentadue's death had concluded with a "no bill" and after the Medical Examiner had concluded his investigation.⁴ Those Polaroid photographs revealed blood spatter, baton marks, cast off and other incriminating evidence indicating that Trentadue had indeed been murdered which evidence neither the Grand Jury nor the medical examiner saw. **Enlarged copies of the Polaroid photographs showing this evidence are included as Exhibit 7.**

- ***BOP 35MM Photographs.***

In addition to the Polaroid photographs, a *BOP* investigator took 35MM photographs of Trentadue's body and cell that morning. But the *BOP* contends that this investigator only used part of one roll of film to photograph Trentadue's body and cell and that these photographs were taken at approximately 6:30 a.m. on that morning. **These photographs**

⁴The Polaroid photographs were actually found in the possession of the DOJ lawyers defending the FBI from Trentadue's family's civil suit. **The 302 Report documenting the discovery of the Polaroid photographs is included as Exhibit 6.**

are included as Exhibit 8.

The *BOP* contends that these 35MM photographs were taken several hours after the Polaroids, but in the Polaroid photographs supposedly taken hours earlier the blood on Trentadue's body is dry whereas the blood shown on the 35MM photographs is wet.⁵ Just as the Polaroids disappeared, the negatives of the 35MM photographs disappeared on the morning of Trentadue's death and were not found until 1999 after the Grand Jury had concluded and the Medical Examiner had finished his investigation.⁶ Without those negatives, those investigating Trentadue's death were using second, third and even fourth generation copies of the original photographs which copies were lacking in detail. When the negatives were discovered, however, photographs produced from those negatives showed baton marks, scuff marks and other evidence that had previously not been available to the medical examiner or the Grand Jury. **Included as Exhibit 11 are copies of the 35MM photographs showing this evidence.** The 35MM photographs have also been scanned onto a computer disk so that the images can be enhanced. **Copies of those disks are included as Exhibit 12.**

- **Autopsy Photographs.**

The medical examiner took only a few photographs prior to his autopsy of Trentadue's body and two of these are of the ligature. **These photographs are included as**

⁵Included as Exhibit 9, is one of the Polaroid photographs showing the dry blood and one of the 35MM photographs showing wet blood..

⁶Included as Exhibit 10, is the *302 Report* documenting the discovery of the negatives.

Exhibit 13. One of these photographs, however, is significant because it shows the ligature mark on Trentadue’s neck, which the medical examiner described as a complex furrow approximately 5mm in width. **An enlargement of this crucial photograph is included as Exhibit 14.** This photograph is significant because it shows cross-tie like impressions in the ligature furrow on Trentadue’s neck, which were not produced by a bed sheet ligature. These cross-tie like impressions were created by plastic handcuffs.⁷

BOP policy requires SHU guards to use plastic handcuffs and further provides that these handcuffs are not to be placed around an inmates neck. **An example of the plastic handcuffs or “flex c-cuffs” used by SHU guards is included as Exhibit 15.** The locking mechanism on these handcuffs is a perfect match for the cross-tie impressions in the furrow on Trentadue’s neck. This is not a true handcuff but is identical in design and construction to the flex cuffs SHU guards use at the FTC. **Two enlargements of photographs of Trentadue’s neck showing this furrow are included as Exhibits 16 and 17.** These photographs are also significant because the furrow is basically parallel to Trentadue’s shoulders and not sloping upward as one would expect to find in a full suspension hanging.⁸

⁷Trentadue’s family believes that the striated purplish contusion above the ligature mark occurred when the plastic handcuffs were tightened. In otherwords, as the cuffs were cinched tighter they were pulled down Trentadue’s neck leaving that striated contusion.

⁸Trentadue was right handed. Hence, it is unlikely that he would have slashed his own throat on the right side. Trentadue’s family believes that his throat was lacerated when the guards were attempting to remove the plastic handcuff. The only sharp implement allowed in the SHU was a pair of blunt round nose medical scissors in the first-aid kit. Trying to remove tightly cinched plastic handcuffs with this instrument could very well have produced the lacerations observed in these photographs on Trentadue’s neck.

- **FBI Post-Autopsy Photographs.**

The FBI only took 23 photographs of Trentadue's body following the autopsy. **These are included as Exhibit 18.**

- **Family Photographs.**

The majority of Trentadue's injuries were not photographed by the *BOP*, Medical Examiner or FBI. However, when Trentadue's family received his body home, they removed the heavy make-up which concealed his wounds and photographed his injuries. **Those photographs are included as Exhibit 19.**

- **Mortuary Video.**

In addition to photographing Trentadue's injuries, his family also video taped his body. **That video tape is included as Exhibit 20.**

- **Ligature Not Cut.**

The guards all swore they found Trentadue hanging and eventually him cut down. The ligature which Trentadue allegedly used to hang himself consisted of two segments: the strips of bed sheet tied to the vent in his cell that remained after Trentadue was purportedly cut down, and the knotted 23-inch bed sheet noose that was left around Trentadue's neck after he was supposedly cut down. The guard who claims to have cut Trentadue down, said that he cut the noose three to four inches above Trentadue's head and left it around

Trentadue's neck.⁹ The noose was then turned over to the Medical Examiner. Douglas J. Perkins, a fabric expert with the Oklahoma State Bureau of Investigation, obtained that noose from the Medical Examiner. Perkins analyzed the noose and discovered that it had not been cut. **Perkins testimony and Report showing no cuts on the noose are included as Exhibit 22.**

- **Another Persons Blood.**

Tom Linn, the FBI agent in charge of the *Trentadue* investigation testified that on the mattress from the top bunk in Trentadue's cell "we found two blood types."¹⁰ According to Linn, one blood spot was Trentadue's and the other belonged to an unknown person. When asked why no effort was made to identify the person whose blood was found on that mattress, Linn said "we did not have a suspect to take a sample from." Linn's "no suspect" comment is indeed strange since during his entire stay in the SHU Trentadue was exposed to only four guards per shift. **Linn's testimony about this other blood is included as Exhibit 23.**

- **Liver Mortis.**

Dr. Jordan, found *liver mortis* on the tip of Trentadue's nose, but no *liver mortis* in

⁹ Tammi Corwine, then Tammi Gillis, was a field investigator for the Oklahoma State Medical Examiner. When Corwine came to the FTC on the morning of August 21, 1995, to retrieve Trentadue's body, she spoke with the SHU guards who told her that Physician's Assistant Carlos Mier had cut Trentadue down, not them. Corwine asked Mier who cut Trentadue down and he said it was the guards. **A copy of Ms. Corwine's testimony is included as Exhibit 21.**

¹⁰Trentadue was sleeping in the bottom bunk, and the mattress on the bottom bunk was destroyed by the BOP on the morning of August 21, 1995.

Trentadue's fingers and/or toes. Dr. Jordan also noted the presence of *liver mortis* in one of the Polaroid photographs taken of Trentadue's body in the FTC infirmary immediately after it had been removed from the SHU. **Dr. Jordan's testimony about the *liver mortis* is included as Exhibit 24 and the Polaroid photograph is included as Exhibit 25.**

The presence of *liver mortis* on Trentadue's nose in this photograph is significant because the guards all said that Trentadue was cut down and immediately placed on his back on a gurney, and taken to the infirmary where he remained lying on his back until the Polaroid photograph was taken. Consequently, the *liver mortis* could not have been produced by Trentadue lying face down after he was cut down by guards. Neither could the *liver mortis* have been produced by Trentadue hanging dead in his cell. This is so because the 24 minutes between when Trentadue was allegedly seen alive and discovered hanging would not have been sufficient time to produce *liver mortis* and, more importantly, had he indeed been hanging *liver mortis* would also have been found in the tips of Trentadue's fingers and toes.¹¹

- **Blood Pattern Evidence.**

There was a panic or alarm near the door to Trentadue's cell which inmates could use to summon guards in case of a medical emergency or other problems. On the morning of August 21, 1995, the *BOP* Administration ordered inmates to clean Trentadue's cell. The inmates who cleaned that cell were supervised by a member of the FTC's medical staff. This

¹¹Trentadue's family believes that the *liver mortis* was produced as a result of him lying face down in his cell dead for at least 30 minutes after being murdered by guards.

FTC staff member described seeing a bloody hand print on the wall of Trentadue's cell near the alarm button. This witness said that the hand print streaked down the wall as if Trentadue was collapsing toward the floor when that print was made. **A copy of this witness' testimony is included as Exhibit 26.** The medical staff member also identified that hand print from among several exemplars shown to her. **A copy of that hand print exemplar is included as Exhibit 27.** In addition to a bloody hand print, this same FTC staff member observed blood spatter on the wall of Trentadue's cell and identified that spatter from among several exemplars. **A copy of that blood spatter exemplar is included as Exhibit 28.** Neither the hand print nor the blood spatter was photographed by *BOP* investigators, however.

- **Muddy Shoes.**

Although the guards all claim that Trentadue had been issued "new shoes" and that he had never left his cell, when Trentadue's body was found there was mud on his shoes. **Photographs of his muddy shoes are included as Exhibit 29. The FBI Crime Lab *Soil Report* concerning those shoes is included as Exhibit 30.**

- **No Fingerprints.**

Trentadue's fingerprints were not found on any item in his cell other than his personal papers. In fact, Trentadue's fingerprints did not appear on the plastic toothpaste tubes or plastic knife with which the *BOP* claims he slashed his throat. **A copy of the FBI Crime Lab *Fingerprint Report* is included as Exhibit 31.**

- **No Sheet Fibers.**

Trentadue was suppose to have torn a sheet into numerous strips to fashion a ligature. Yet, no sheet fibers were found on his body or in that cell. **A copy of the witness' testimony about the absence of fiber on Trentadue's body or in his cell is included as Exhibit 32.** Interestingly, the FBI Crime Lab discovered that when the ligature was disassembled and compared to the sheet remnants in Trentadue's cell, the pieces did not equal an entire sheet. Neither the *BOP* nor FBI, however, made any attempt to locate the missing portions of that sheet. **A copy of the FBI Crime Lab Report regarding the missing pieces of sheet is included as Exhibit 33.**

- **Caffeine.**

Inmates at the FTC are served coffee with breakfast and Trentadue had breakfast prior to being placed in the SHU unit. SHU inmates have no other source of caffeine since they are not allowed to bring anything with them to the SHU. Yet according to the FBI, the Medical Examiner said that Trentadue had consumed the caffeine equivalent of "4 strong cups of coffee or 30 bottles of coca-cola" within one to two hours before his death. **A copy of the FBI Report on Trentadue's caffeine level is included as Exhibit 34.** No one investigating Trentadue's death made any attempt to explain either the source of this caffeine or why Trentadue would consume that quantity.

EVIDENCE OF COVER UP

The State of Oklahoma had concurrent jurisdiction with the DOJ over the FTC. The Oklahoma State Medical Examiner, Dr. Fred Jordan, had control over the death scene which could not be cleaned or destroyed without his approval. On the morning of August 21, 1995, however, the Medical Examiner's investigator was denied access to Trentadue's cell. Before 8 a.m. the FTC Administration was also notified by Kevin Rowland, the Chief Investigator for the Oklahoma Medical Examiners Office to preserve the death scene and that Rowland intended to call the FBI to process the evidence in Trentadue's cell. However, despite being told to preserve the death scene and that the FBI was being called, immediately thereafter the FTC Administration ordered Trentadue's cell cleaned. But that was only part of the *BOP's* efforts to cover up Trentadue's murder. Other examples are set forth below, and these are not all the acts of obstruction of justice committed by the *BOP*:¹²

- **No Psychological Reconstruction.**

BOP Policy required that Trentadue's "suicide" be investigated by a panel of psychologists from other institutions; that a detailed report of the motives and methods of Trentadue's alleged suicide, known as a "psychological reconstruction," be prepared; and that FTC personnel "shall handle the site with the same level protection as any crime scene in which a death has occurred to insure that available evidence and documentation is

¹²There are too many examples of obstruction of justice to mention in this *Summary of Evidence*. For example, *BOP* policy does not authorize cremation yet the FTC Administration attempted to have Trentadue's body cremated on the morning of August 21, 1995. The FBI also attempted to indict Trentadue's brother, Jesse C. Trentadue who was leading the family's inquiry into the circumstances of Trentadue's death.

preserved to provide data and support for subsequent investigators doing a psychological reconstruction.” **A copy of the *BOP* policy requiring that the death scene be preserved is included as Exhibit 35.**

Before 8:00 a.m. on the morning of August 21, 1995, the FTC Administration was notified by the *BOP* Headquarters that a psychological reconstruction team was on its way to the FTC to investigate Trentadue’s death. The FTC Administration knew that this psychological reconstruction team would be at the institution that very afternoon. Nevertheless, Trentadue’s cell was hurriedly “sanitized” or cleaned before that psychological reconstruction team arrived or the FBI could process the scene. Because the scene had been destroyed, no psychological reconstruction was done on Trentadue’s death. The *BOP* admits that this is the only supposed inmate suicide for which a psychological reconstruction was never done. **A copy of that admission is included as Exhibit 36.**

- **Suicide Note.**

The *BOP* claims that Trentadue wrote a suicide note on the cinder block wall of his cell with a pencil.¹³ This note supposedly said “**my mind is no longer its friend**” and was purportedly signed by Trentadue “**Love ya familia**” as a farewell to his Mexican-American wife. The *BOP* investigators who saw that note on the morning of August 21, 1995, said that it was signed “**Love Paul.**” The *BOP* did not change to the “**Love ya familia**” ending for

¹³**A photograph of the pencil Trentadue supposedly used to write this note is included as Exhibit 37.** The tip of this pencil is not abraded as it would have been had Trentadue used it to write that note on the course abrasive cinder block walls of his cell.

that note until after it learned that Trentadue never went by his alias Vance Paul Brockway. Investigator Rowland, however, saw that note and said that it was signed “Tom Linx.” Yet no one will ever know what that note said, how it was signed or whether it was authored by Trentadue since that note was destroyed.

According to the *BOP*, Trentadue’s cell was a “a secured scene, sealed with crime scene tape within the custody and control of the FBI.” Rowland was finally given access to the crime scene on November 16, 1995, when he was allowed to visit Trentadue’s cell. On that visit, Rowland was accompanied by FBI Agent Jenkins, *BOP* Captain Sheffer, and representatives of the FTC Administration. During that visit, Rowland asked Jenkins to have the handwriting analyzed. Rowland returned to the FTC on December 14, 1995. Rowland testified that on his return to the FTC in December, the cell was secured with “evidence tape,”but that the handwritten note had been painted over. The FBI Crime Lab, left with nothing but photographs of the writing to analyze, reported that: “due . . . the lack of detail in the submitted photographs . . . [it] is doubtful if this hand printing will ever be identified with hand printing of a known individual.” **A copy of the FBI Crime Lab Report on this writing is included as Exhibit 38.**

- **Destruction of Baker Records.**

Alden Gillis Baker was a violent psychopath and suspected serial killer. Baker was so dangerous that extra guards and an Operations Lieutenant were required to move him. The SHU *Admission Log* shows that Trentadue was placed in cell A-709 with Baker on the

morning of August 20, 1995. Baker claimed that Trentadue was tortured and murdered by guards. But Baker himself was thereafter found hanging by a bed sheet rope in his SHU cell.¹⁴ The *BOP* claims that Baker was celled in a different part of the institution and thus could not have witnessed Trentadue's murder.

To support its claim that Baker was nowhere near Trentadue, the *BOP* relied upon the testimony of guards who swore that Baker was housed in another unit in the institution. Yet, there were records that would have shown Baker's exact location within the FTC at the time of Trentadue's death. One such record was the BP-292 form, which is a daily record kept on each SHU inmate's activities. The BP-292 shows the inmate's cell number. It is a multi-copy form, with copies going into the inmate's central file, to the warden's office and to various other locations within the BOP. It is also a permanent record. Baker's 292's have all disappeared. FBI and *BOP* investigators never made any attempt to discover why Baker's BP-292's disappeared.

A *Cell Rotation Log* was used to chart inmate cell changes within the SHU. The *Cell Rotation Log* disappeared, too. But according to the FTC Administration, that *Log* was turned over to the FBI prior to its disappearance. This was not the only evidence the FBI lost. A confidential FBI *Memorandum* disclosed that 41 "serials" or pieces of evidence were missing from Trentadue's FBI file. **A copy of that FBI *Memorandum* is included as**

¹⁴Prior to his death, Baker had been threatened by *BOP* guards. Trentadue's family sought an *Order* to protect Baker, but eight months after that *Motion* was filed and two weeks after Baker's death, it was denied as "moot." Among Baker's personnel effects was a piece of paper on which he had written: My mind is no longer my friend."

Exhibit 39.

Each eight-hour shift at the FTC is presided over by an Operations Lieutenant who must prepare a daily log entry for his or her watch. Inmate movements are recorded in the *Lieutenant's Log*. Consequently, had Baker been moved from that cell prior to Trentadue being placed there, it would have been logged in the *Lieutenant's Log*.

The *Lieutenant's Log* is a permanent record maintained for ten years within the FTC and then sent to the *National Archives*. The *Lieutenant's Log* for two of the three shifts on August 20, 1995, and all three shifts for August 21, 1995, exists. However, the entries for these five shifts are all that exist of the *Lieutenant's Log* for Baker's ten-day stay at the FTC. The *BOP* admitted that the pages from the *Lieutenant's Log* for the rest of Baker's stay at the FTC have disappeared.. **A copy of that admission is included as Exhibit 40.** The *BOP* offered no explanation for the disappearance of these crucial log pages and neither did the FBI investigate the disappearance of this evidence.

- **Missing Clothing.**

When Trentadue was locked into cell A-709, he had a t-shirt, pants, socks and shoes. There is no evidence that he ever left that cell. When Trentadue's body was found he was wearing a blood stained t-shirt and blood-stained khaki pants. But when Trentadue's body was turned over to the Medical Examiner on the morning of August 21, 1995, he was wearing only boxer shorts. His clothing has **disappeared**. Neither the *BOP* or FBI investigators made any attempt to locate Trentadue's missing clothing nor did they attempt

to explain the loss of this evidence.

- **Perjury.**

The *BOP* claims that the guards cutting Trentadue down were video taped but that the camera malfunctioned. The guard who supposedly took that video tape was Roger T. Groover. Under cross-examination, however, Groover admitted that he did not video tape Trentadue's body hanging in his cell. Groover admitted that he never saw Trentadue hanging even though he had testified repeatedly to that fact previously. Groover's testimony is set out below:

Q. Mr. Groover, you testified under oath before the Federal Grand Jury, you testified under oath before the Office of Inspector General, and you testified under oath in the BOP Affidavit that you saw Mr. Trentadue hanging; correct?

* * *

A. Yes.

* * *

Q. Then on August 21, 1995, did you see Kenneth Trentadue hanging in that cell?

A. No.

* * *

Q. Mr. Groover, you never videotaped Kenneth Trentadue hanging; correct?

A. Correct. I did not videotape Trentadue hanging.

Q. Because you never saw Kenneth Trentadue

hanging; correct?

A. I did not see Trentadue hanging.

Groover's testimony is significant because the other guards swore they witnessed Groover video taping Trentadue's body. **A copy of Groover's confession to perjury is included as Exhibit 41.**¹⁵

- **Fabricated Administrative Detention Order.**

An inmate's placement in SHU requires an *Administrative Detention Order*. On November 16, 1995, Chief Investigator Rowland saw the *Administrative Detention Order* that transferred Trentadue to the SHU. Rowland said that the *Order* was blank showing no reasons or explanation for Trentadue's placement in SHU. **The 302 Report of Rowland's observations of the *Administrative Detention Order* is included as Exhibit 42.** Shortly thereafter, Trentadue's *Administrative Detention Order* disappeared. It was not discovered until August 11, 1997, when two markedly different *Detention Orders* placing Trentadue in the SHU appeared, each stating that Trentadue had requested placement in SHU for personal protection because **"other inmates are out to get him."**¹⁶ **Copies of those Administrative Detention Orders are included as, respectfully, Exhibits 43 and 44.**

¹⁵ Video cameras are not used in medical emergencies such as inmate suicides. But *BOP* policy does require the use of video camera during a forced cell entry on an inmate or inmates by guards. Groover also told investigators that Trentadue's feet were suspended above the sink from which he had allegedly jumped to hang himself. But just as with the officer in charge of the SHU who made the same claim, no investigator pressed Groover to explain how one can hang himself above the object from which he steps off to complete the hanging.

¹⁶ The *Administrative Detention Order* is a multi-copy form. It is a "NCR" or no carbon required form. That is – it is a self-carbon form with the carbon copies attached to the original. Like the BP-292, the original goes into the "inmate central file" with the self carbon copies being distributed to various other units within the BOP. Baker's *Administrative Detention Order* disappeared, both original and copies.

- **Fabricated Medical Records.**

Immediately following Trentadue's death, FTC staff psychologist, David K. Wedeking, met with the FTC Administration. Wedeking left that meeting and prepared a "*Suicide Watch Report*" stating that Trentadue had been on suicide watch immediately prior to death.¹⁷ **A copy of that *Suicide Watch Report* is included as Exhibit 45.** Under cross-examination, Wedeking confessed that the *Report* was false. **A copy of Wedeking confession is included as Exhibit 46.**

- **Fraudulent Transcript.**

Inmate telephone calls are recorded. On August 19, 1995, Trentadue telephoned his brother, Jesse C. Trentadue, his sister-in-law, Rita Reusch, and his sister, Donna Trentadue Sweeney. Trentadue was upbeat during those conversations and even asked his family to send him money to purchase stamps and other items from the FTC commissary. **Those conversations were transcribed and the transcripts are included as Exhibits 47, 48, and 49, respectively.** Trentadue spoke for 20 minutes with his brother Jesse C. Trentadue on the evening of August 19, 1995, and there was nothing alarming or abnormal about that conversation. Earlier that day, Trentadue's sister-in-law asked him how he happened to be in Oklahoma and Trentadue, who had been flown to the FTC with other prisoners aboard U.S. Marshal aircraft, answered "it's that Jet Age stuff."

¹⁷Trentadue had no history of depression or suicide attempts. Moreover, he and his wife had just experienced the birth of their first child who was barely two months old at the time of Trentadue's death.

The transcription of that conversation between Trentadue and his sister-in-law shows a *BOP* facsimile transmission date of September 12, 1995. Yet, exactly six months later, the *BOP* was distributing a transcript of that same conversation, only now instead of responding as he had done to the question about how he came to be in Oklahoma, the transcript had been altered to indicate that Trentadue said “**it’s that AIDS stuff.**” The fraudulent transcript was being circulated by the *BOP* to support its contention that Trentadue had committed suicide because he had AIDS. **A copy of that falsified transcript is included as Exhibit 50.**

- **Missing Recording.**

Trentadue also placed a call to his mother, Wilma Lou Trentadue at 12:00 p.m. Oklahoma City time on Sunday, August 20, 1995. This call was placed when Trentadue was supposedly in the SHU. It was an unusual call in that it was direct dial and not collect as the other calls Trentadue had made to his family had been. It was also unusual in that Trentadue suddenly said “I gotta go” and hung up. There is no transcript of that conversation because the tape reel for August 20, 1995, “**was recycled and taped over.**” The loss of that evidence was significant because, as previously noted, it occurred after the *BOP* claims Trentadue was in the SHU where Trentadue would not have had access to a telephone. Needless to say, the *BOP* contends that call was never made.

- **Harassment of Medical Examiner.**

By December 20, 1995, the Medical Examiner concluded that “Trentadue had been abused and tortured.” That statement appears in a report which the Medical Examiner kept

in his official file on the *Trentadue* case. **A copy of that report is included as Exhibit 51.**

On July 1, 1997, the Medical Examiner told a local United States Attorney that it was very likely Trentadue had been “killed.” The Medical Examiner made a note of that conversation.

A copy of that note is included as Exhibit 52.

On July 3, 1997, the Medical Examiner went on national television stating that:

I think it is very likely he was murdered. I am not able to prove it. I have temporarily classified the death as undetermined. You see a body covered with blood, removed from the room as Mr. Trentadue was, soaked in blood covered with bruises and you try to gain access to the scene and the Government of the United States says no, you can't. They continue to prohibit us from having access to the scene of his death, which is unheard of in 1997, and until about five months later. We went in there and linoled. It lite up like a candle because blood was still present on the walls of the room after 4 or 5 months. At that point we had no crime scene, so there is still questions about the death of Kenneth Trentadue that will never be answered because of the actions of the U.S. Government. Whether those actions were intentional, where they incompetence, I don't know it's not easy to communicate with the Federal Government. It was botched, or, worse, it was planned.

A video tape of that interview is included as Exhibit 53.

The Medical Examiners criticism of the *BOP* brought pressure to bear on him from the United States Department of Justice, including the FBI. On August 25, 1997, for example, the Medical Examiner wrote the Internal Revenue Service requesting an audit “to protect myself from retribution” because his work on the Trentadue case was bringing him “into an uncomfortable juxtaposition with the United States Department of Justice.” **A copy of that *Request for a Protective Audit* is included as Exhibit 54.** On October 10, 1997, the

Medical Examiner issued a Press Release highly critical of the *BOP* for its refusal to allow him access to the scene of Trentadue's death. **A copy of that Press Release is included as Exhibit 55.**

Despite the pressure being exerted upon him by the United States Government as a result of his handling of the *Trentadue* case, the Medical Examiner complained to United States Senator Byron Dorgan on October 22, 1997, and told Dorgan that Trentadue "was at the least beaten, we haven't found the truth and probably won't." **A copy of Jordan's notes of that telephone conversation is included as Exhibit 56.** Not surprisingly, the *DOJ* continued to pressure Jordan to the point where the Oklahoma Attorney General's Office was forced to intervene. On March 12, 1998, Assistant Attorney General Patrick Crawley wrote to the *DOJ* complaining about the Federal Government's harassment of Dr. Jordan and his staff and accused the *DOJ* of obstructing justice by "derailing the Medical Examiner's investigation." **A copy of Crawley's letter is included as Exhibit 57.**

On July 10, 1998, the Medical Examiner suddenly amended the Certificate of Death to list Trentadue's death as a suicide.¹⁸ More than four years later, on December 11, 2002, in a deposition given in anticipation of his retirement as Medical Examiner, Dr. Jordan admitted that Trentadue had been in a fight prior to death, that it was possible Trentadue was

¹⁸Up until that time, the manner of Trentadue's death had been listed as "unknown." In fact, when Dr. Jordan refused to testify before the Grand Jury that Trentadue's death was a suicide or that his wounds were self inflicted, the *DOJ* attempted to recruit Colonel William Gormley of the Armed Forces Institute of Pathology to testify that Trentadue's wounds were self inflicted. Gormley refused and informed Jordan of the *DOJ*'s attempt to mislead the Grand Jury. **A copy of Gormley's Report to the Medical Examiner's Office is included as Exhibit 58.**

strangled with plastic handcuffs and that he, Jordan, had been harassed by the FBI.¹⁹ **A copy of that deposition testimony is included as Exhibit 60.**²⁰

- **Confidentiality Protective Order.**

Trentadue's family sued the *BOP* for his death claiming that he had been murdered. During the discovery conducted in that case, *BOP* employees confessed to perjury and other acts of obstruction of justice. However, lawyers from the *DOJ* who represented those employees went before the Federal Judge presiding over the *Trentadue* case and requested an *Order* precluding Trentadue's family from reporting those crimes either to federal prosecutors or the Senate Judiciary Committee. **A copy of that Request is included as Exhibit 62.** A hearing was held on that *Request for the Protective Order* in which the lawyers representing the *BOP* employees renewed their *Request* for an *Order* prohibiting Trentadue's family from reporting their clients' crimes. **A copy of that transcript of the hearing is included as Exhibit 63.** Thereafter, the United States District Court entered an *Order* prohibiting Trentadue's family from reporting crimes committed involving the cover up of Trentadue's murder to federal prosecutors or the Judiciary Committee. **A copy of the**

¹⁹Dr. Jordan was not the only witness harassed. Many witnesses were and some were even threatened with death. While drinking, a *BOP* guard described to his neighbor how Trentadue had been murdered. When this guard sobered up, he threatened the neighbor. The neighbor reported the threats to the FBI but nothing came of that report and neither was this witness called before the Grand Jury. **Copies of the 302 Reports relative to this witness are included as Exhibit 59.**

²⁰The Medical Examiners Chief Investigator, Kevin Rowland, was also deposed at the same time. Rowland testified that not only did he believe Trentadue had been murdered but he likewise confirmed that the Medical Examiners Office had never been told that someone's blood other than Trentadue's had been found in the cell or that the noose around Trentadue's neck and had not been cut. **A copy of Rowland's deposition testimony is included as Exhibit 61.**

Court's decision is included as Exhibit 64.²¹

- **Polygraph Examinations.**

The FTC operates on three shifts: the midnight to 8 a.m. shift, the 8 a.m. to 4 p.m. shift and the 4 p.m. to midnight shift. The guards on the midnight to 8 a.m. shift on August 21, 1995, when Trentadue's body was discovered were polygraphed. Also polygraphed were the guards on the 8 a.m. to 4 p.m. shift on August 20, 1995, when Trentadue was admitted to the SHU. Trentadue's family believes he was murdered on the 4 p.m. to midnight shift on August 20, 1995.²² But the four guards from that shift were not polygraphed. Furthermore, the guards from the other shifts who were polygraphed were asked questions that they could truthfully answer without implicating any of their fellow guards in Trentadue's murder. Specifically, they were asked "did you participate in the beating of inmate Vance Brockway"; "did you participate in the hanging of inmate Vance Brockway"; and "do you know for sure who did cause the death of inmate Vance Brockway?" Anyone not present at the time of Trentadue's death, could answer these questions "no" and give a truthful answer, even if he or she were acting to cover up Trentadue's murder. Simply put, the questions were carefully crafted so as not to illicit information concerning the circumstances of Trentadue's death.

²¹In hopes that prosecuting *BOP* guards for perjury and other crimes would force them to testify truthfully about Trentadue's murder as part of a plea bargain, Trentadue's family brought four separate *Motions* asking to be relieved from that *Order* and for permission to report crimes committed by three *BOP* employees and an FBI agent. The Court denied those *Motions*.

²²The time of Trentadue's death is very much in dispute. The Medical Examiner never took a liver temperature to determine an exact time of death.

- **Conflict of Interest.**

In defense of the civil suit brought by Trentadue's family, the *BOP* retained retired Oklahoma City Homicide Detective Tom Bevel as an expert witness to testify that Trentadue's death was a suicide. The Office of Inspector General for the *DOJ* investigated Trentadue's death and concluded that it was a "suicide." The Office of Inspector General wrote a *Report* of that "investigation," which has been placed under seal. Trentadue's family subsequently learned that Bevel was also secretly retained by the Office of Inspector General to help write the *Official Report* of that entities investigation into the circumstances of Trentadue's death. Needless to say, the *DOJ's Official Report* of the Inspector General's investigation into the circumstances of Trentadue's death adopts the *BOP* "suicide" explanation, and the fact that the *DOJ* would use the *BOP's* expert witness to write that *Report* is the ultimate proof of "**cover up.**" Although that *Report* was sealed and never released to the public or Senate Judiciary Committee, the *DOJ* delivered a copy to the Federal Judge presiding over Trentadue's family's civil suit against the *BOP*.