

Seeing Murder in a Face

■ A family refuses to believe a battered prisoner hanged himself, as officials say. The U.S. government has reopened the case.

By RICHARD A. SERRANO
Times Staff Writer

WASHINGTON — His family was horrified at the face staring up from the open casket. Kenneth Trentadue's forehead was blackened and bruised. His eyes were blood-marked, his left eye swollen shut. His cheeks were puffed and scraped and cut. His jaw was rubbed red.

The family ordered the Orange County undertaker to strip the body and wipe away the makeup. Then they saw the rest — his battered head, his gouged throat, his arms and legs, hands and wrists, even the bottoms of his feet, all covered in deep, ugly wounds.

This, they asked, was a suicide?

Yet that was the official explanation by the federal government in the 1995 prison death of Trentadue, a drug addict and small-time criminal from Westminster, shortly after he was arrested on a parole violation.

Ever since, the U.S. Bureau of Prisons, the FBI and the Justice Department have officially maintained that the inmate hanged himself in a grisly middle-of-the-night suicide in his one-man cell in Oklahoma.

His family has never accepted that story. It believes a prison guard — or perhaps a fellow inmate — killed him, and has challenged the government at every turn to learn what happened.

Believing he was murdered, perhaps in a case of mistaken identity connected to the Oklahoma City bombing that year, the family sued the government in the hope of unearthing fresh evidence.

A federal judge in 2001 awarded the family \$1.1 million for emotional suffering. But relatives still did not acquiesce. When the government appealed the award, they filed a cross-appeal offering to forgo the money if a new investigation was undertaken to pinpoint the cause of death.

"It is not about the money," said Trentadue's brother, Jesse Trentadue, a Salt Lake City attorney. "We want to expose the people who killed Kenny and the people who covered it up — the people who have caused us this hell."

Now, in an unusual development nine years after the death, the U.S. government has abruptly reopened the case. Noel L. Hillman, chief of the Justice Department's Public Integrity Section, said his office was "conducting an ongoing review for the purpose of criminal law enforcement."

To say anything more might "compromise that investigation by tainting witnesses, telegraphing the identities of potential suspects and targets and interfering with the integrity of tangible evidence," he said.

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Family Won't Accept Explanation for Death

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Such actions are rare, especially at this high a level in the department and after so much time has passed. It was Aug. 21, 1995, when a prison guard passed the cell of the 44-year-old former bank robber and radioed for help, shouting, "I've got one hanging!"

Turns to Drugs, Alcohol

Trentadue, the son of a West Virginia miner, moved west with his family in 1960 and settled in Westminster. He dropped out of high school and fell into a life of drugs and alcohol. He served briefly in the Army, then went AWOL. At one time, his heroin addiction cost him \$150 a day. He took an alias and set out robbing banks in Southern California.

Raymond Essex, a U.S. Parole Commission administrator, reported that Trentadue admitted using \$200 worth of heroin the day he committed the savings and loan robbery in San Diego that led to his federal conviction in 1982. Trentadue acknowledged being in a drug-induced stupor during the robbery.

He was paroled in 1987 but never shook his drug habit; according to the warrant for his rearrest, he had violated parole three times for not submitting monthly reports, for being under the influence of drugs and for drunk driving.

But Trentadue was also trying to start his life anew. He had found steady work in construction, his family said. He seemed stable and happy. He married, and he and his wife were expecting a son.

Then in June 1995, he was picked up for driving drunk across the U.S.-Mexico border into San Diego. For two months he was held in the federal lockup in San Diego, where he pleaded guilty to drunk driving. That made his parole revocable.

In August, he was flown to the prison transfer center in Okla-



SUICIDE? Relatives believe Kenneth Trentadue may have been mistaken by a guard for one of the Oklahoma City bombers.

homa City, to await a hearing that would determine how much more time he would serve. Essex later estimated it would have been no more than 16 months.

Taken to Oklahoma

Trentadue arrived at the Oklahoma prison on Aug. 18, a Friday. He was dead by Monday morning. The government's explanation, the family contends, defies common sense.

The government maintains Trentadue had been acting "crazy and paranoid" and asked to be placed in the prison's "SHU" — its Special Housing Unit for inmates who need protection.

There, according to numerous government documents and interviews, a routine guard check early that Monday morning found him asleep in bed.

During the next 20 minutes,

the government contends, he quietly rose, ripped his sheets and fashioned a noose, running one end of the makeshift rope through the ceiling vent grate and looping the other around his neck.

He leaped from the sink, but the sheets did not hold. He fell, striking his head and other parts of his body on the sink, a desk and a stool. Next, he took a plastic knife or toothpaste tube and gouged his throat. Then he reknotted the sheets, wrapped the rope around his neck and jumped again. This time, the government theory goes, the sheets held.

The next bed check was at 3:02 a.m., when the guard spotted him swinging from the ceiling.

It was suicide, the prison warden told Trentadue's mother in his first phone call to her in Orange County.

An internal investigation was conducted and a federal grand jury studied the matter, all done because the government could not give the family a satisfactory explanation for the death. Even the role of FBI agents who investigated the death was studied. But there were no job terminations, no criminal charges, no indictments.

"Trentadue committed suicide," the Justice Department's inspector general concluded. "The [Bureau of Prisons] employees or inmates did not murder him, and BOP and FBI employees did not conspire to cover up the true circumstances of his death."

Family Takes Action

Unconvinced, the Trentadue family began its own investigation. With Jesse Trentadue, the lawyer, taking the lead, they talked to inmates who said Kenneth had not been acting irrationally. Using the Freedom of Information Act, they obtained prison documents that showed that a videotape related to the incident was mysteriously erased, and that the cell had been cleaned by guards before FBI agents arrived.

They also uncovered what they said were inconsistent statements from guards and, using the help of technical experts, found evidence of mud on Trentadue's blue prison shoes, an indication he might have been taken outside before he died.

More curious, they said, was that the prison wanted to cremate the body before sending it to Orange County, a decision normally left to the family.

After photographing the body to document the extent of Trentadue's injuries, the family invited friends and relatives to see what they said the government had done to him.

"He was so beat up that even after the funeral home cleaned him up, people who came to the wake went outside and puked," Jesse Trentadue said.

Some in the Justice Department say Jesse Trentadue is overly litigious and bent on revenge. But others, including some at high levels of federal law enforcement, see the marks of a coverup.

"There are a lot of questions about what went down in that cell and the nature of the injuries," said a longtime federal investigator who looked into the matter when it was brought at one point before the Senate Judiciary Committee. "When you start poking around, and look at all the excuses that have been made, this case that won't go away starts to fall apart."

Another high-ranking Washington law enforcement official familiar with the case said suicide did not stand up. "More like a conspiracy," he said. "I don't know who or why, but I can see another gunman on the grassy knoll in this one."

From what the family has ascertained, Kenneth Trentadue did not seem bent on killing himself. "Big, big hug," he wrote in a cheerful-sounding letter to his wife, Carmen, days before his death.

He called Jesse from Oklahoma and told him he did not expect a lengthy term. "It's looking pretty good," he said in the call, which was recorded by the prison. "You know, like, you know as far as a violation, mine's lightweight. They're just street violations, you know."

But prison officials said Trentadue asked to be placed in the SHU for his own protection. "Things aren't quite right," he reportedly told the staff, according to prison officials' statements in court and prison records. He mentioned something about a mistaken identity and that he had "stepped in" something, prison officials said.

This was Oklahoma City, four months after the bombing of the federal building by Timothy J. McVeigh. A nationwide manhunt was underway for an accomplice known as John Doe No. 2. Trentadue resembled the man in the wanted posters, with the square jaw and a dragon tattoo on his arm. His family thinks it's possible that a guard, angry over the bombing, had it in for him.

Jesse Trentadue discovered prison logs that showed another inmate, a self-described "psychotic" named Alden Gillis Baker, was kept in the same SHU cell with Kenneth, against regulations.

Prison officials said the log was incorrect. Baker told the family in a deposition that he was in a nearby cell, where he heard "a lot of scuffling going on ... a lot of beating going on, a lot of clashing going on" between guards and Trentadue.

He said he saw guards in blood-spattered uniforms and heard "moaning" in the corridor. When the moans stopped, "I heard like sheets being ripped."

But before Baker could testify in the family's lawsuit, he was found dead in a federal prison cell in Lompoc, Calif. His death in August 2000 was ruled a suicide; he was in a one-man cell and had hung himself with a bed-

sheet fashioned into a noose.

Trentadue's family pushed on. They learned of bloodstains near the panic button in his cell — a sign Trentadue might have been trying to get help before he died.

Dr. Fred Jordan, the Oklahoma medical examiner, performed the autopsy. "I felt Mr. Trentadue had been abused and tortured," he concluded. He later told an Oklahoma City television reporter that "it's very likely he was murdered."

Jordan kept extensive material about the case in his files, and in his handwritten notes he described federal authorities suddenly giving him a "cool reception." He felt he was being harassed, and he worried about being singled out for a personal tax audit.

Later, in November 2000, Jordan testified in the family's lawsuit that "there is no evidence to substantiate beating or torture." Then he flipped again, saying in a deposition a year ago that the "injuries were received in an altercation."

Jordan did not return phone calls to explain his comments.

But there are signs he was pressured by the federal government, at least according to Patrick Crawley, then an assistant state attorney general who represented Jordan.

In March 1998, Crawley sent a pointed letter to the Justice Department warning federal agents to stop harassing the medical examiner. He accused them of preventing Jordan from conducting a thorough investigation.

If it continued, Crawley wrote, then "all Americans should be very frightened of [federal agents] and the DOJ."

As the years and investigations wore on, the Justice Department's inspector general did cite an FBI agent for mishandling evidence and guards for not acting quickly to save Trentadue.

The lawsuit ended with a federal judge in Oklahoma City ruling in 2001 that the family had not proved the death was anything other than suicide. But Judge Tim Leonard did criticize two guards who took the witness stand and "seemed unable to comprehend the importance of a truthful answer." He also chastised government employees for "fabricating evidence, destroying evidence, committing perjury ... and intimidating witnesses."

The judge awarded the family \$1.1 million because "of the reckless way in which they were treated by the United States," adding that "the government should be held liable for the intentional infliction of emotional distress."

The government appealed, and the family is cross-appealing, saying it will walk away from the money in return for a new trial. A decision is expected soon, but a full accounting of the events of that night still seems far away.

Despite the years of investigating, said Jesse Trentadue, "there are hundreds of unknowns."

Brothers Get Life for Mass Slayings in Philadelphia

Pair avoid the death penalty by pleading guilty. They receive seven consecutive terms for killing seven people in a drug den in 2000.

From Associated Press

PHILADELPHIA — Two brothers convicted in one of the city's worst mass killings avoided the death penalty by admitting their guilt Monday and giving up the right to appeal their convictions. They were sentenced to seven consecutive life terms.

Dawud, 29, and Khalid Faruqi, 28, were convicted Friday of participating in the massacre of seven people inside a West

Philadelphia drug den on Dec. 28, 2000. Prosecutors said the brothers were among four masked men who burst into the home, ordered its 10 occupants to lie on the floor, then strafed their bodies with bullets.

The trial's penalty phase was to have begun Monday. Both men faced a minimum of life in prison without parole and could have been sentenced to death.

The plea deal prompted angry outbursts from two victims' relatives, who said the brothers should have gotten death. Both relatives were removed from the courtroom.

"I'm not satisfied. They need to die!" shouted one of the women, Veronica Conyers.

Authorities initially charged a different group of suspects,

who spent 18 months in jail awaiting trial before prosecutors acknowledged they were probably innocent.

In September, the city agreed to pay \$1.9 million to settle claims that prosecutors ignored evidence of their innocence.

Later, the Faruqi brothers and two other men were charged. The other two defendants pleaded guilty.

The case against the brothers hinged largely on testimony from co-defendant Bruce Venev, who claimed to have acted as a lookout during the shootings. Defense lawyers called Venev a liar and claimed that at least some of the original defendants were guilty.

The brothers sat passively through the sentencing. Asked

by a judge whether they wished to address the court, both declined. Asked if their written admission of guilt was genuine, both men mumbled that it was.

Their mother was unconvinced. "My sons still say to me that they are innocent," Shahidah Faruqi said, as she left the courthouse.

Victims' parents were given the chance to address the brothers in court after the sentencing. In doing so, they were addressing onetime neighbors.

Andrea Watson, whose 18-year-old son was among the dead, said she couldn't understand how they could have committed the killings.

"You knew my son. You knew both my daughters," she said. "I just hope that God has mercy on your souls."