

FEDERAL BUREAU OF INVESTIGATION

PLAINTIFF'S
EXHIBIT

175

97-849 L

Ex 1

Date of transcription 12/20/95

On December 14, 1995, DAHL WAYNE HENDRICKSON, Senior Officer Specialist, Federal Transfer Center, Oklahoma City, Oklahoma, was advised of the official identity of the interviewing Agent and the nature of the interview. HENDRICKSON is a white male, date of birth September 27, 1965, Social Security Account Number [REDACTED]. He provided the following information:

In August 1995, exact date was unrecalled, HENDRICKSON processed inmate VANCE PAUL BROCKWAY into the Special Housing Unit (SHU), at the Federal Transfer Center. HENDRICKSON explained that the processing consists of a strip search, the inmate is then passed through a metal detector, and given clean clothes and bed linen.

No cuts, bruises or marks of any kind were noticed on BROCKWAY except a small cut on his heel caused by ill fitting shoes. BROCKWAY was given a bandaid and new shoes for this cut. The only conversation between HENDRICKSON and BROCKWAY was when HENDRICKSON asked BROCKWAY why he was coming up to the SHU. BROCKWAY mumbled something unintelligible about having problems with inmates.

HENDRICKSON described BROCKWAY as "rough looking," quiet, cordial and that "nothing stuck out in my mind about him." He believed that BROCKWAY was at the FTC because he had violated the conditions of his parole, but HENDRICKSON was unaware of the original offense.

HENDRICKSON denied any conspiracy by any of the officers at the FTC to harm BROCKWAY in any way, or alter any of the facts of the case. HENDRICKSON could provide no further information regarding the death of VANCE PAUL BROCKWAY.

USA008 0268

Investigation on 12/14/95 at Oklahoma City, OK

File # 70A-OC-56502

by G. Joseph Bradley Date dictated 12/20/95

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IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

ESTATE OF KENNETH MICHAEL TRENTADUE,)
by and through its Personal)
Representative, CARMEN AGUILAR)
Trentadue, et al,)

Ex 2

Plaintiffs,)

vs.)

Case No. CIV-97-849-L

UNITED STATES OF AMERICA, et al)

Defendants.)

REPORTER'S TRANSCRIPT OF PROCEEDINGS
HAD ON NOVEMBER 15, 2000
TESTIMONY OF DENNIS WILLIAMS

BEFORE THE HONORABLE TIM LEONARD,
JUDGE PRESIDING

A P P E A R A N C E S

R. SCOTT ADAMS
Adams & Associates
204 North Robinson, 25th Floor
Oklahoma City, OK 73102

CHARLES P. SAMPSON
Sutter Axland
175 South West Temple, Suite 700
Salt Lake City, UT 84101-1480

COUNSEL FOR THE PLAINTIFFS

PETER E. SCHLOSSMAN
STEPHEN HANDLER
U.S. Department of Justice
Civil Division, Torts Branch
P.O. Box 888
Washington, D.C. 20044

COUNSEL FOR THE DEFENDANT UNITED STATES

1 (THE FOLLOWING PROCEEDINGS WERE HAD IN OPEN COURT, WITH ALL
2 PARTIES AND COUNSEL PRESENT, AND WITHIN THE PRESENCE AND
3 HEARING OF THE JURY.)

4 THE COURT: Be seated, please. Plaintiffs call their
5 next witness.

6 MR. ADAMS: Dennis Williams.

7 DENNIS WILLIAMS,

8 having been first duly sworn to tell the truth, the whole
9 truth, and nothing but the truth, testified as follows:

10 MR. ADAMS: Your Honor, before we begin, can I
11 approach and ask a advisory question. This is going to come
12 up.

13 THE COURT: Counsel approach.

14 (FOLLOWING PROCEEDINGS WERE HAD AT THE BENCH, WITH ALL
15 COUNSEL PRESENT, AND OUT OF THE HEARING OF THE JURY.)

16 MR. ADAMS: Your Honor, this is the last officer that
17 we will be calling that was on the SHU unit at midnight to 8:00
18 a.m. in the morning that Trentadue's body was found. He was
19 SHU officer number one that we heard this document 78 that we
20 have in front of me the diagram of the SHU which was produced
21 to us by the government approximately a week ago after
22 pre-trial we amended our 78A to include this was produced by
23 BOP and I wanted to use this with Officer Williams. It is
24 going to show along with other exhibits all the records the BOP
25 had in their possession show Baker and Trentadue in cell 709A

Charyse C. Crawford, CSR, RPR

UNITED STATES COURT REPORTER
5012 UNITED STATES COURTHOUSE BUILDING
OKLAHOMA CITY, OK 73102 - PH. (405) 236-3980

1 Q. Which cell did you go to?

2 A. Cell 709, A range.

3 Q. At that point in time, did you have a radio on you?

4 A. Yes, I did.

5 Q. Did you receive any transmissions from anyone else in the
6 institution?

7 A. Not that I remember.

8 Q. What did have you in your possession that was of importance
9 for you to be down there at the cell?

10 A. I had the cell door keys for all the cell doors.

11 Q. Did anyone else have that cell door key?

12 A. No, they did not.

13 Q. From the time you went on shift at midnight until 3:00 a.m.
14 in the morning, did anyone else have that key in their
15 possession?

16 A. No, they did not.

17 Q. Now, before you heard Officers Ellis and Creasey running up
18 to the SHU office out of the A pod and you left and went down
19 to cell A709, did you ever hear any noises from the A range?

20 A. None.

21 Q. Nothing at all?

22 A. None at all.

23 Q. Now, whenever you got to the door, what did you do?

24 A. I looked inside the cell.

25 Q. And what did you see?

Charyse C. Crawford, CSR, RPR

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OKLAHOMA CITY, OK 73102 - PH. (405) 236-3980

1 A. I seen an inmate hanging from the grate area hanging over
2 the sink.

3 Q. Hanging over the sink?

4 A. With his feet hanging over the sink.

5 Q. I am going to ask you to look volume number one.

6 MR. ADAMS: May I approach, Your Honor?

7 THE COURT: You may approach.

8 MR. SCHLOSSMAN: Can we have the exhibit number?

9 MR. ADAMS: Yes, 97.

10 Move for admission of 97.

11 MR. SCHLOSSMAN: No objection.

12 THE COURT: 97 -- Plaintiff's 97 will be admitted.

13 Q. (BY MR. ADAMS) Officer Williams, this is a drawing of the
14 cell, Plaintiff's Exhibit No. 97 and to help you to orient the
15 jury with what is what, I am going to point to some things and
16 could you tell me what they are. Do you have 97 in front of
17 you also?

18 MR. SCHLOSSMAN: Object to foundation, if he
19 recognizes that.

20 THE COURT: Excuse me. It has been admitted.

21 MR. SCHLOSSMAN: He asked if he recognizes that, and
22 Counsel is asking him to describe it.

23 THE COURT: We just admitted it, Mr. Schlossman.
24 There were no objections.

25 Q. (BY MR. ADAMS) Mr. Williams, are you ready?

Charyse C. Crawford, CSR, RPR

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1 the vent, and the vent was kind of centered over the light,
2 vents off.

3 Q. Whenever you looked in there and saw Mr. Trentadue hanging,
4 it's your testimony his feet were three to four feet above the
5 ground; correct?

6 A. Correct.

7 MR. ADAMS: Can I approach the witness, Your Honor?

8 THE COURT: You may approach.

9 Q. (BY MR. ADAMS) Mr. Williams, I am going to ask you with
10 this red pen to draw the line where the bottom of Mr.
11 Trentadue's feet were with the understanding it's 2 feet 8.5
12 inches on the sink. If it's three to four feet, could you draw
13 where the bottom of his feet were?

14 A. This is approximating from where I seen it in there.

15 Q. Would you initial that, please?

16 A. (Indicating.)

17 MR. ADAMS: Your Honor, may I use this for a moment
18 and I will be right back?

19 THE COURT: Yes.

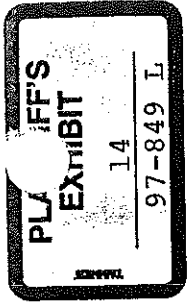
20 Q. (BY MR. ADAMS) Officer Williams, I am showing you on the
21 monitor the mark you made and that's your initials above it and
22 that would be the where the bottom of Kenneth Trentadue's feet
23 were when you saw him on August 21, 1995?

24 A. Right, to the best of my recollection.

25 Q. Now, would you flip in the book to 98A, please? Before you

Charyse C. Crawford, CSR, RPR

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BOARD OF MEDICOLEGAL INVESTIGATIONS
OFFICE OF THE CHIEF MEDICAL EXAMINER

Ex 4

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1115 West 17th St.
Tulsa, Oklahoma 74107
(918) 582-0985

Re. _____ Co. _____
I hereby certify that this is a true and correct copy of the original document. Valid only when copy bears imprint of the office seal.
By A. Hedgewood
Date 3-1-96

REPORT OF INVESTIGATION BY MEDICAL EXAMINER

DECEDENT—First—Middle—Last Names (Please avoid use of initials) KENNETH M. TRENTADUE
Age 44 Birth Date 12-19-50 Race WHITE Sex MALE Marital Status UNKNOWN

HOME ADDRESS—No. Street, City, State FEDERAL BUREAU OF PRISONS
Occupation PRISONER

TYPE OF DEATH: (Check one only)
While in penal incarceration XXX
After unexplained coma
During therapeutic procedure
Death possible threat to public health
Unattended stillbirth or by midwife only
Unattended during fatal illness
Found dead without obvious cause
*Under suspicious circumstances
*Violent, unusual or unnatural
*Means:
If motor vehicle accident, check one of the following
DRIVER
CYCLIST
PASSENGER
PEDESTRIAN

EXAMINER NOTIFIED BY—NAME—TITLE(AGENCY, INSTITUTION, OR ADDRESS) CAPT. SHEFFER, FEDERAL BUREAU OF PRISONS
DATE 8-21-1995 TIME 0530

INJURED OR BECAME ILL AT(ADDRESS) 7500 S.McARTHUR
CITY OR COUNTY OKLAHOMA CITY TYPE OF PREMISES PRISON
DATE 8-21-1995 TIME UNKNOWN

LOCATION OF DEATH (ADDRESS OR NAME OF INSTITUTION) 7500 S.McARTHUR
CITY OR COUNTY OKLAHOMA CITY TYPE OF PREMISES PRISON
DATE 8-21-1995 TIME 0506

BODY VIEWED BY MEDICAL EXAMINER AT (ADDRESS) 11 N. STONEWALL
CITY OR COUNTY OKLAHOMA CITY TYPE OF PREMISES MORGUE
DATE 8-21-1995 TIME 10.30

DESCRIPTION OF BODY RIGOR LIVOR EXTERNAL OBSERVATIONS
EXTERNAL PHYSICAL EXAMINATION
Jaw Complete Color _____
Neck Absent Anterior
Arms Passed Posterior
Legs Decomposed Lateral
Regional _____
Clothed Unclothed
Partly Clothed Hair _____
Beard _____ Mustache _____
Circumcised
Eyes: Color _____
Pupils: Opacities, Etc. _____
R _____ L _____
BLOOD _____
FROTH _____
OTHER (Sand, dirt, water, etc.) _____
NOSE _____ MOUTH _____ EARS _____
LENGTH (cm) _____ WEIGHT (kg) _____
BODY HEAT: _____

SEE AUTOPSY PROTOCOL

Probable cause of death: Consistent with Asphyxia
Manner of death: (Check one only)
Natural Accident
Suicide Homicide
Unknown Pending
Case disposition:
Autopsy: Yes No
Authorized by FBJ
Pathologist JP / FBJ
Not a medical examiner case

MEDICAL EXAMINER Name, Address and Telephone No.
Fred B. Jordan, MD
901 N. Stonewall
Oklahoma City, OK 73117
County of Appointment O.C.M.E. Date 8-21-1995
I hereby state that, after receiving notice of the death described herein, I conducted an investigation as to the cause and manner of death, as required by law, and that the facts contained herein regarding such death are true and correct to the best of my knowledge and belief.
Fred B. Jordan
Signature of Medical Examiner

9504017

BOARD OF MEDICOLEGAL INVESTIGATIONS
OFFICE OF THE CHIEF MEDICAL EXAMINER

AMENDMENT TO REPORT OF INVESTIGATION

Full Name of Decedent _____ KENNETH M. TRENTADUE

Date of Death: 8-21-95
City/County of Death: OKLAHOMA CITY/OKLAHOMA
File Number: 9504017
Medical Examiner: FRED B. JORDAN, M.D.

ITEMS AMENDED:

Cause of Death TRAUMATIC ASPHYXIA

Manner of Death UNKNOWN

Other

2-26-96

Date

Fred B. Jordan

Signature

**Board of Medicolegal Investigations
OFFICE OF THE CHIEF MEDICAL EXAMINER**

CENTRAL OFFICE
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Oklahoma City, OK 73117
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Re _____	Co _____
I hereby certify that this is a true and correct copy of the original document. Valid only when copy bears imprint of the office seal.	
By <u>A. Jordan</u>	
Date <u>3-1-96</u>	

REPORT OF AUTOPSY BY MEDICAL EXAMINER

DECEDENT First-Middle-Last Names (Please avoid use of initials)	Age	Birth Date	Race	Sex	Marital Status
KENNETH M. TRENTADUE	44	12-19-50	W	M	UNKNOWN
AUTOPSY Authority for Autopsy	Present at Autopsy		Identified By		
FRED B. JORDAN, M.D.	DR. JOHN PARKER		FEDERAL BUREAU OF PRISONS		

TYPE OF DEATH

- | | | |
|---|---|--|
| <input type="checkbox"/> While in penal incarceration | <input type="checkbox"/> Death possible threat to public health | <input type="checkbox"/> *Under suspicious circumstances |
| <input type="checkbox"/> After unexplained coma | <input type="checkbox"/> Unattended stillbirth or by midwife only | <input checked="" type="checkbox"/> *Violent, unusual or unnatural |
| <input type="checkbox"/> During therapeutic procedure | <input type="checkbox"/> Unattended during fatal illness | |
| | <input type="checkbox"/> Found dead without obvious cause | *Means: asphyxia |

PATHOLOGICAL DIAGNOSIS

- I. Recent cutaneous contusions.
 - A. Left posterior temporoparietal region of head (5 x 4 cm.) with peripheral abrasion and two central lacerations.
 - B. Right posterior temporo-occipital region of head (6 x 4 cm.).
 - C. Forehead above the eye, two lesions (3 x 1 cm.; 1 x 0.5 cm.).
 - D. Left anterior chest (1 x 0.5 cm.).
 - E. Right upper arm near the bicep (3 x 2 cm.).
 - F. Distal left forearm, extensor surface (2.5 x 2.0 cm.), with adjacent abrasion.
 - G. Right upper back (5 x 2 cm.).
 - H. Immediately above the anal verge (1 x 0.5 cm.).
 - I. Right lower extremity, knee (1.5 x 1.5 cm.)
 - J. Right lower extremity immediately below the knee cap (1 x 0.5 cm.).
 - K. Left lower extremity, medial anterior thigh, two lesions (1 x 1 cm.; 0.5 x 0.5 cm.).
 - L. Bottom of left foot, four lesions (up to 1.5 cm.).
- II. Acute lacerations.
 - A. Mid-frontal forehead (2 x 0.5 cm.) with large adjacent contusion.
 - B. Right lateral neck (6.5 x 1.5 cm.) with underlying soft tissue hemorrhage.
- III. Ligature mark of neck (26 x up to 1.5 cm.); two overlying adjacent linear acute abrasions.
- IV. Petechiae and purpurae of conjunctiva.
- V. Acute to recent abrasions.
 - A. Lateral to the right eye.
 - B. Bridge of the nose.
 - C. Medial right antecubital fossa.
 - D. Dorsum of right wrist.
 - E. Posterior lower left leg at the level of the ankle (0.5 x 0.5 cm.).

Continued on Page 2

CAUSE OF DEATH:

TRAUMATIC ASPHYXIA

AUTOPSY NO. ML 529-95

CASE NO. 9504017

FBJ/AL

The facts stated herein are true and correct to the best of my knowledge and belief.

Fred B. Jordan
Signature of Pathologist
CME-2 (revision 11/95)

8-21-95 (1030)
Date and time of autopsy

OCME MORGUE
Place of autopsy

Case no. 9504017 (Pathological Diagnosis - 2)

VI. Bilateral acute contusions of tongue; intramuscular strap muscle hemorrhage.

VII. Acute fracture of the right tip of the hyoid bone.

VIII. Older contusions.

A. Dorsal surface of right hand, third and fourth metacarpal phalangeal joint (2 x 2 cm.; 3 x 2 cm.), dorsal left hand, second and third metacarpal phalangeal joints (2 x 1.5 cm.; 2 x 1 cm.).

B. Flexure surface of left upper arm bicep area (2 x 1 cm.).

C. Posterior left arm (4 cm.).

IX. Arteriosclerotic cardiovascular disease.

X. Micronodular cirrhosis; splenomegaly.

XI. Biliary calculi.



EXTERNAL EXAMINATION

AUTOPSY NO. ML 529-95

CASE NO. 9504017

=====

DESCRIPTION

Height	Weight	Eyes	Pupils	Opacities, Etc.	Hair	Beard	Mustache	Circumcized
66 in.	76 kg.	HAZEL	R 3 mm L 3 mm		BROWN	N	RED	YES
RIGOR (jaw, neck, back, legs, arm, chest, abd., complete)				LIVOR (color, anterior, posterior, lateral, regional)			Body Heat	
COMPLETE				PURPLE-POSTERIOR			COOL	

As received, the body is that of a 76 kg., 66 in. adult white male appearing the stated age of 44 years. The body is clad in tan, blood stained boxer shorts. Also received with the body is a 23 in. long blood stained white cloth ligature with a circular knot at one end. This ligature is received unattached to the body.

The left posterior temporo-parietal region has a 5 x 4 cm. raised purple contusion with multiple purple-red peripheral abrasions and two central lacerations measuring 1.5 and 1 cm. in length, respectively. The lacerations show typical underlying bridging tissue. 3 cm. lateral to this lesions is a 0.5 x 0.5 cm. red abrasion.

The right posterior temporo-occipital region shows a 6 x 4 cm. hematoma with some purple-red punctate abrasion at its periphery.

Over the mid-frontal region at the hairline is a 2 x 0.5 cm. laceration. The surrounding tissue is purple and acutely contused. On the forehead superior to the right eye are two flat oval purple contusions measuring 3 x 1 cm. and 1 x 0.5 cm. Multiple small red abrasions are present lateral to the right eye, and a 0.3 cm. red abrasion is present over the bridge of the nose. Purple livor mortis is present over the nose and there is a pale white line running diagonally through this purple livor. There is blood at the nostrils, and the oral cavity contains a moderate amount of liquid blood.

Examination of the neck shows a 26 cm. furrow anteriorly extending bilaterally to the level of the ears where it is not clearly defined posteriorly. There is slight upward sloping at the ears. The furrow is complex generally averaging slightly less than 5 mm. in width and shows characteristic abrasion which becomes more parchment like posteriorly. It is located just above the larynx. On the right lateral neck ca. 1.5 cm. above the ligature mark extending behind the right ear is a large 6.5 x 1.5 cm. laceration. It shows broadly abraded margins and superiorly shows two criss crossing smaller superficial abrasions. The more anterior abrasion extends forward toward the origin ligature mark and appears focally to consist of two parallel lines. These average 7 cm. in length.

Case no. 9504017 (External - 2)

The bulbar conjunctiva of both eyes show multiple petechiae, and there are purpurae on the lower lids.

Over the anterior chest and upper arms, there is focal irregular patchy vitiligo. Three monitor pads are present on the anterior chest. A 1 x 0.5 cm. red contusion is present in the left axillary line at the level of the nipple. The right upper extremity shows a 3 x 2 cm. oval purple contusion overlying the flexor aspect of the bicep muscle. A 3 mm. red abrasion is present over the medial right antecubital fossa. A star tattoo is present over the extensor aspect of the right elbow medially. A 2 mm. red abrasion is present over the dorsum of the right wrist. Two purple-tan to green contusions are present over the dorsal surface of the right hand overlying the third and fourth MP joints. They measure 2 x 2 cm. and 3 x 2 cm., respectively.

The left upper extremity has a 2 x 1 cm. brownish-tan oval contusion on the flexor surface of the medial area of the bicep. A dragon tattoo is present extending over the flexor aspect of the forearm. The extensor surface of the distal left forearm has a 2.5 x 2.0 cm purple contusion with focal surrounding abrasions present near the area of the wrist. Two purple-yellow contusions are present over the dorsum of the left hand overlying the second and third metacarpal/phalangeal joints. They measure 2 x 1.5 cm. and 2 x 1 cm., respectively. No circumferential contusions or abrasions of the wrist are apparent. There are three to four brownish-tan contusions on the posterior aspect of the left arm.

The back demonstrates a tattoo with apparent marijuana leaves and wavy lines over the left scapula. Livor mortis is present. Nonetheless, there is a 5 x 2 cm. red contusion apparent at the level of the lateral border of the right scapula.

The genitalia are circumcised and the testes show no evidence of trauma.

Ca. 2 cm. superior to the anus is a 1 x 0.5 cm. flat purple macule-like lesion which is submitted for microscopic clarification. The rectum, itself, shows no tearing or other specific abnormality.

The right lower extremity has a 1.5 x 1.5 cm. red-purple oval contusion overlying the anterior kneecap with a 1 x 0.5 cm. purple-red contusion immediately inferior to the kneecap. There is an 11 cm. well healed scar over lying the anterior lower leg. A 0.5 x 0.5 cm. red abrasion is present over the posterior lower left leg at the level of the ankle. Examination of the ankles do not show any evidence of circumferential contusions or abrasions. The left lower extremity has a 1 x 1 cm. oval purple contusion over the medial anterior thigh with a similar appearing 0.5 x 0.5 cm. contusion slightly lower. The anterior left lower leg has a 4.5 cm. healed scar with a posteromedial 5 cm. healed scar.

Case no. 9504017 (External - 3)

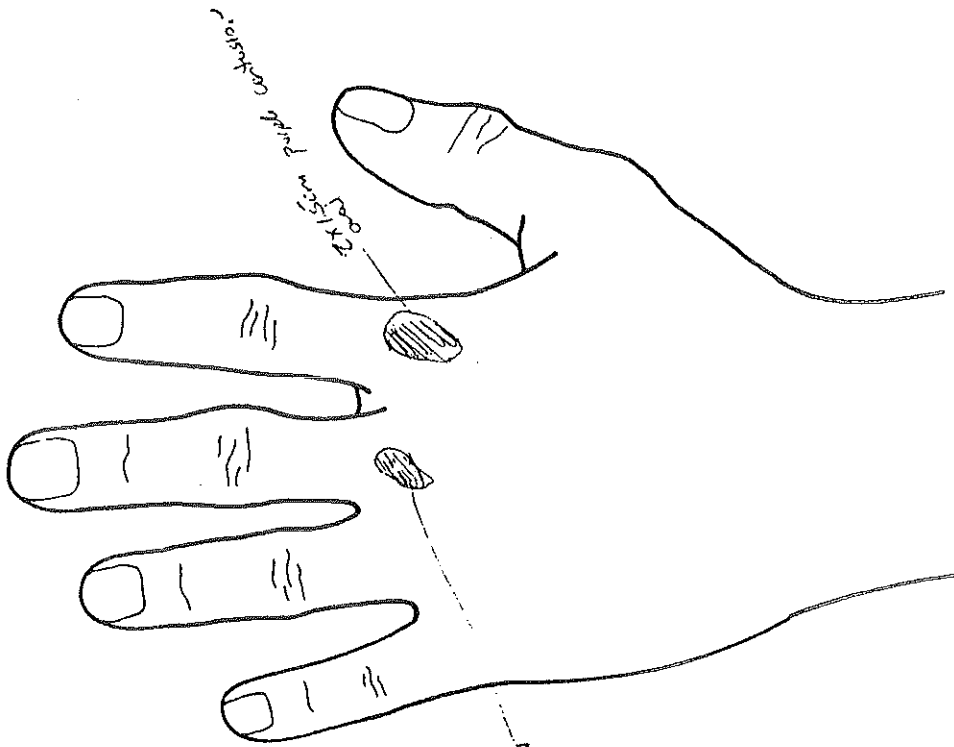
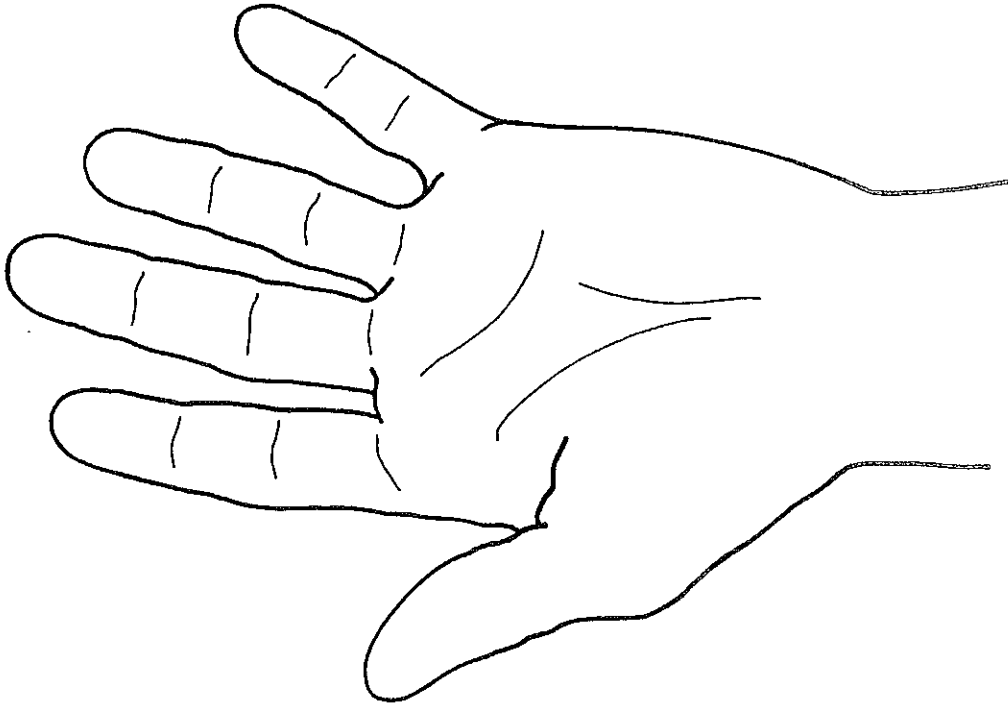
The left lateral chest shows a postmortem small superficial curvilinear-like impression.

The bottom of the left foot shows three to four small purple apparent contusions, the largest measuring ca. 1.5 cm. in maximum dimension.

Oral and anal swabs are taken for examination.

A small possible area of contusion is present over the styloid process of the left ulna.

LEFT HAND - PALMAR AND DORSAL



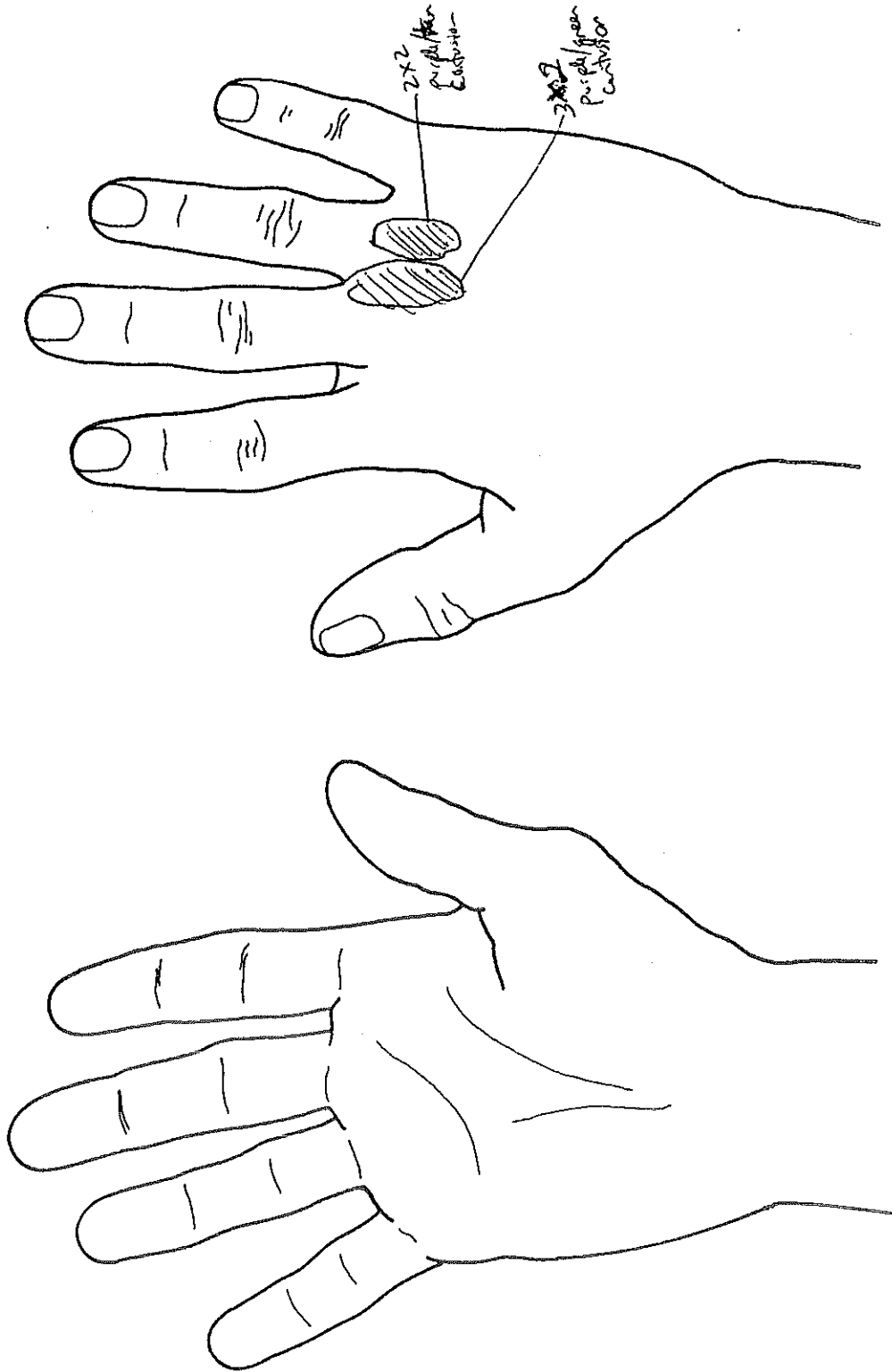
Name Vance J. Kewey

Case No. 9504017

A handwritten signature in black ink, appearing to be "J. Kewey".

RECEIVED

RIGHT HAND - PALMAR AND DORSAL



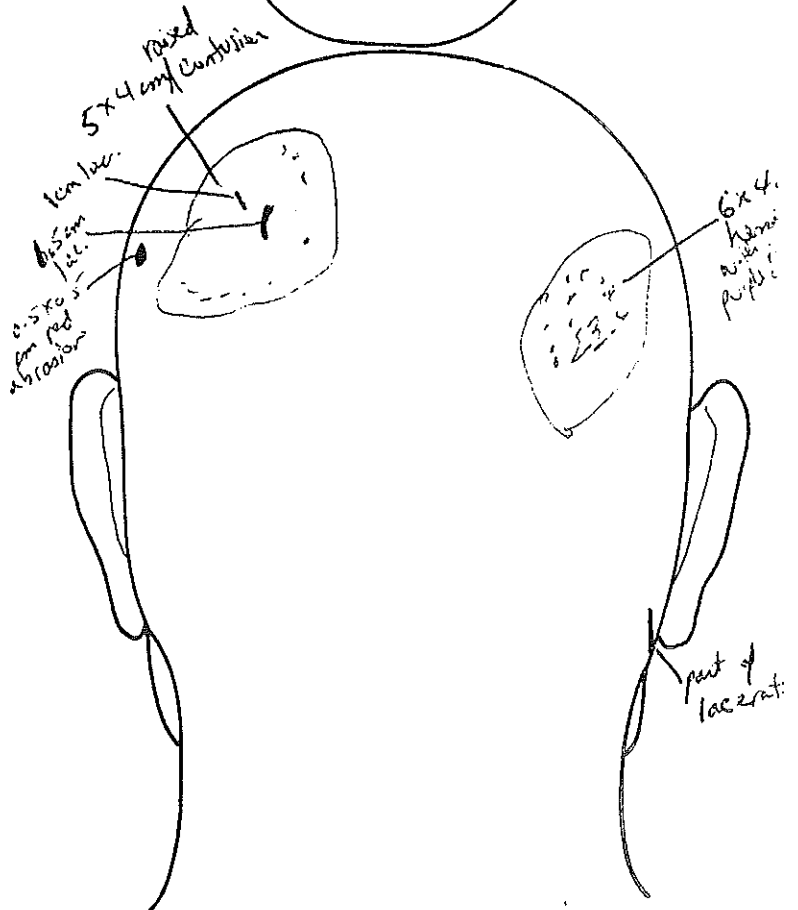
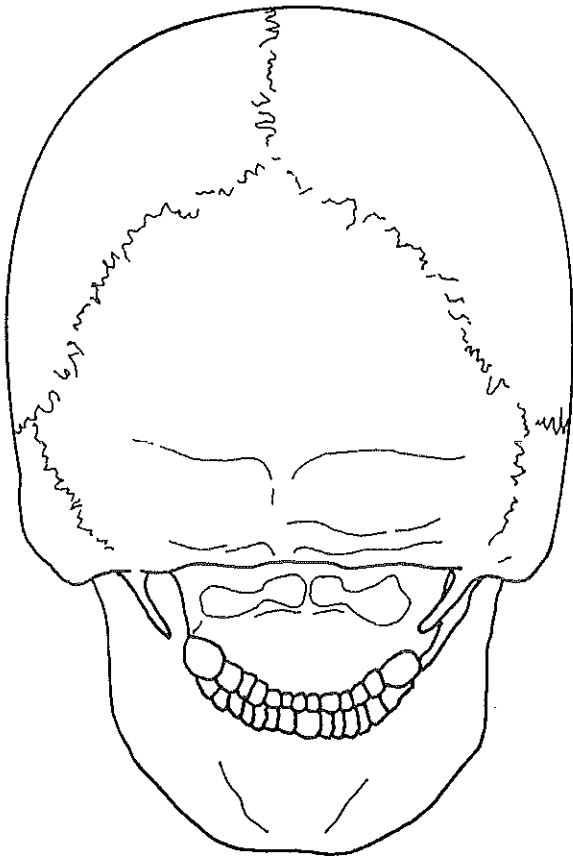
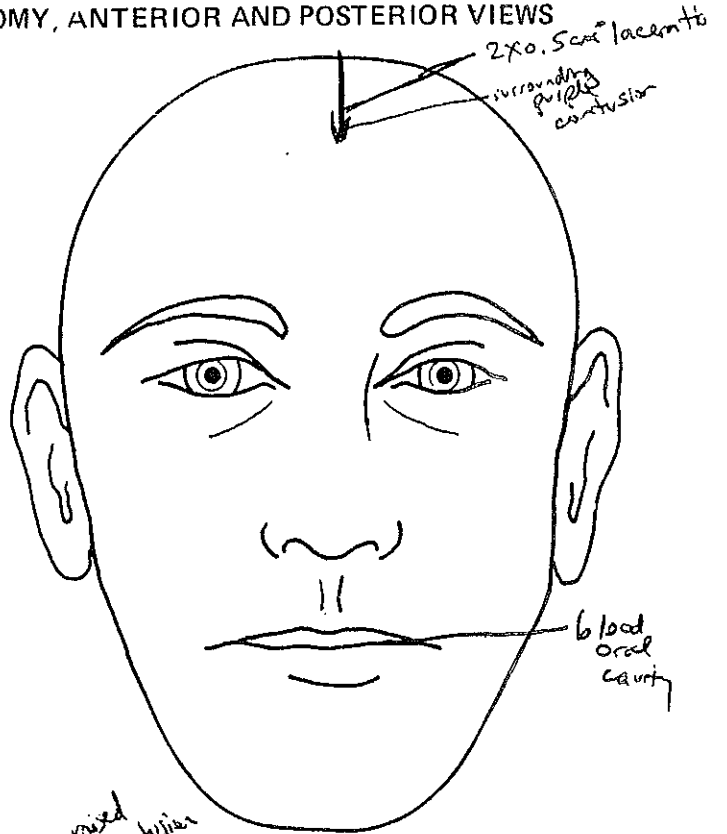
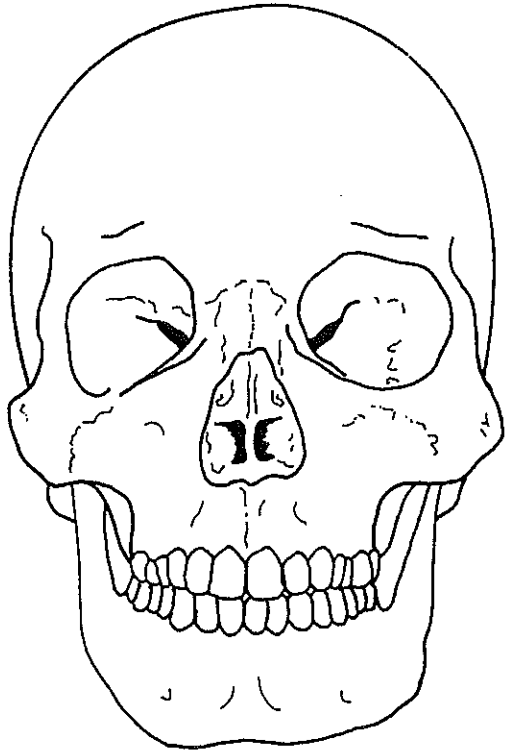
Name Vance

AMENDED

Case No. 9504017

Date 8/1/16

HEAD - SURFACE AND SKELETAL ANATOMY, ANTERIOR AND POSTERIOR VIEWS



Name

Vance [Signature]

Case No.

95 040 17

CME-1B14 (Series 1978)

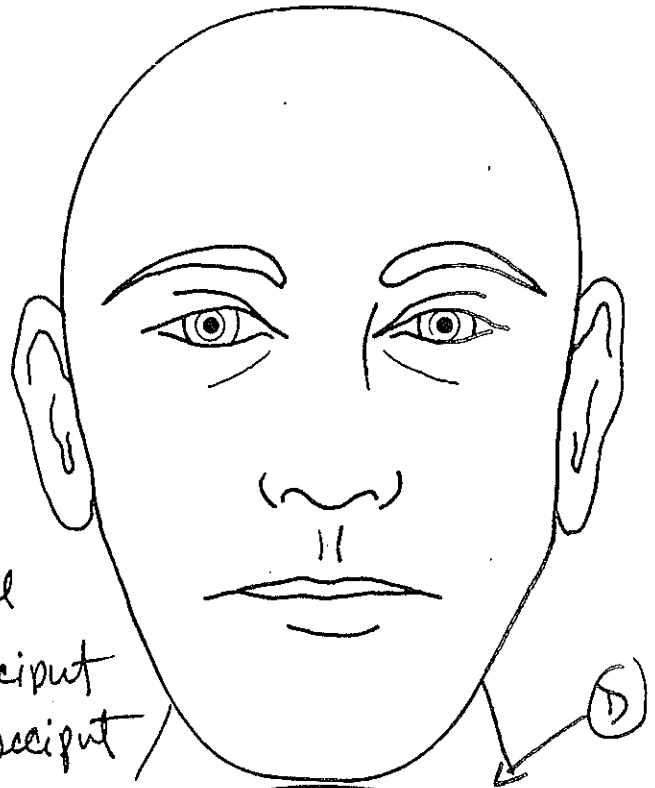
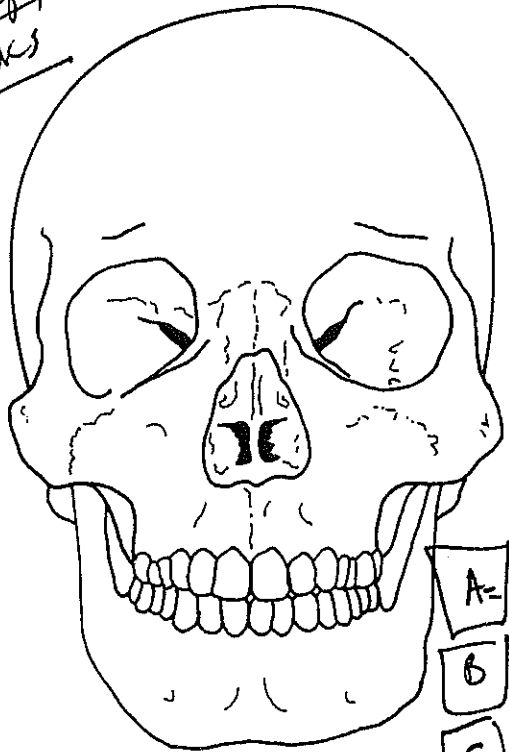
Date

8/21/95

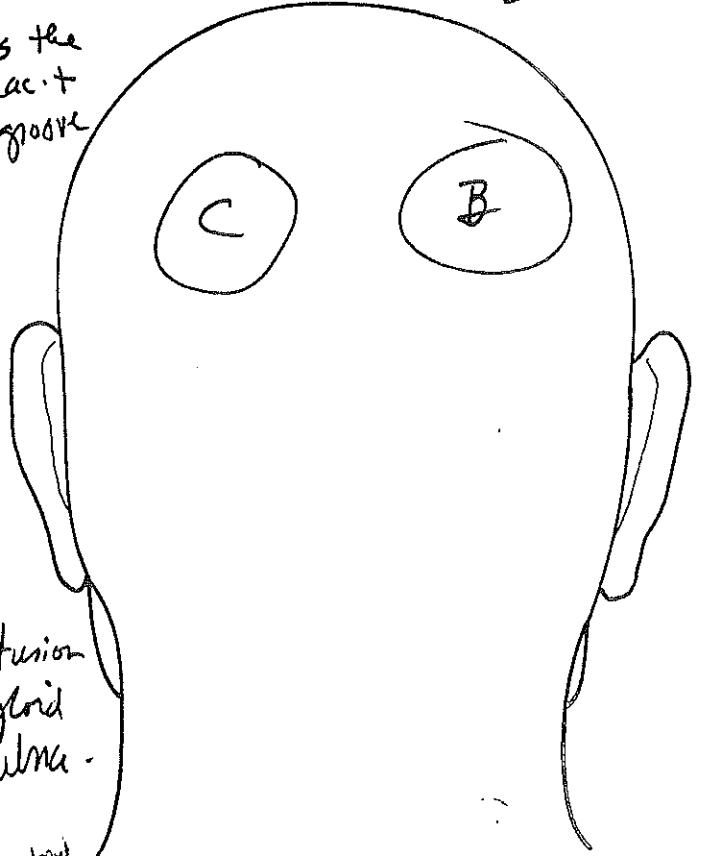
[Signature]

HEAD - SURFACE AND SKELETAL ANATOMY, ANTERIOR AND POSTERIOR VIEWS

Histology
Blocks



- A = perianal
- B = (R) occiput
- C = (L) occiput
- D = across the neck lac. + lig. groove



(E) = contusion over styloid process of ulna.

no contusions about the ankles.

lig width 4-6 mm.
lig length 26 cm.

AMENDED

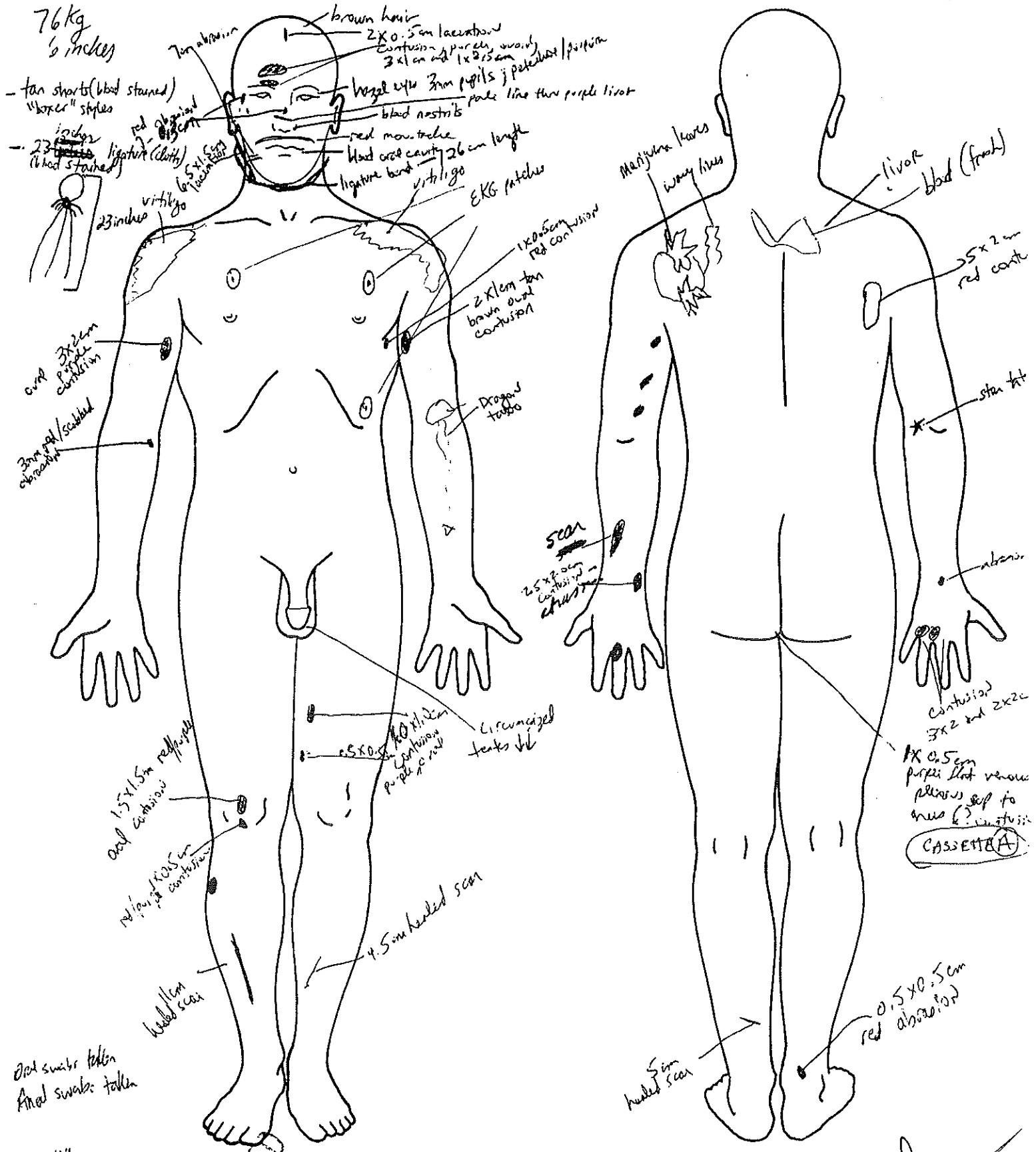
Name _____

Case No. _____

4504017

Date _____

FULL BODY, MALE - ANTERIOR AND POSTERIOR VIEWS (VENTRAL AND DORSAL)



Oral swabs taken
Anal swabs taken

was restrained by
Tammi

Name Vance Brockway

Case No. 9504017

Date 2/21/95

[Signature]

AMENDED

GROSS EXAMINATION

AUTOPSY NO. ML 529-95

CASE NO. 9504017

=====

The body is opened through the customary "Y" shaped incision.

Subcutaneous fat is normally distributed, moist, and pale yellow. The musculature through the chest and abdomen is rubbery, maroon, and shows no gross abnormality.

The sternum is removed in the customary fashion. The organs of the chest and abdomen are in normal position and relationship. The diaphragms are intact bilaterally.

PARIETAL PLEURA:

Smooth, glistening membrane without associated adhesions or abnormal effusions.

PERICARDIUM:

Is a smooth, glistening, intact membrane, and the pericardial cavity, itself, contains the normal amount of clear, straw-colored fluid.

PERITONEUM:

Smooth and glistening membrane without evidence of ascites or blood.

HEART:

Weighs 400 gms. It has a normal configuration and location. There are no adhesions between the parietal and visceral pericardium, and the latter is a smooth, glistening, fat laden characteristic membrane. The coronary arteries arise and distribute normally with up to 70% stenosis of the distal left anterior descending coronary artery, 50% stenosis of the right coronary artery and ca. 30% stenosis of the left circumflex coronary artery. The coronary ostia are normally located and widely patent. The chambers are not dilated. The valves are normally formed and measure as follows: tricuspid 10.5 cm, pulmonic 7.0 cm, mitral 10.0 cm, and aortic 6.5 cm. The endocardium is a smooth, gray, and rubbery. The myocardium is intact, rubbery, and red-tan, with the left ventricle measuring 1.5 cm, the septum measuring 2.0 cm, and the right ventricle measuring 0.4 cm. The cut surface of the musculature is red-tan and homogenous. There is no evidence of fibrosis. The papillary muscles and chordae tendineae are intact and unremarkable. The arch of the aorta is classically formed with no atherosclerosis. Other great vessels also arise and distribute normally and are widely patent.

Case no. 9504017 (Gross - 2)

NECK ORGANS:

Musculature is normal, rubbery, and maroon, and the organs are freely movable in a midline position. The tongue contains bilateral 1.5 x 1.0 cm. contusions of the lateral middle thirds. There is extensive intramuscular hemorrhage anteriorly and anterolaterally. The hyoid bone has minimal adjacent soft tissue contusion with a fractured tip on the right. The thyroid cartilage is intact and without abnormality. The thyroid gland is symmetric, rubbery, maroon, and in its normal position without evidence of neoplasm. The epiglottis is a characteristic plate-like structure which shows no evidence of edema, trauma, or other gross pathology. The larynx is comprised of unremarkable vocal cords and folds, is widely patent without foreign material, and is lined by a smooth, glistening membrane. There are no petechiae of the epiglottis, laryngeal mucosa, or thyroid capsule.

THYMUS:

No significant tissue is identified grossly.

LUNGS:

The right lung weighs 500 gms, and the left weighs 450 gms. Visceral pleurae are smooth, glistening, and intact with minimal anthracosis. There is no bleb formation. The overall configuration is normal. The trachea is widely patent and lined by characteristic pink membrane. Likewise, the major bronchi and bronchioles bilaterally are patent, normally formed, and contain no significant occlusive material. The pulmonary arterial tree is free of emboli or thrombi. The parenchyma is uniformly spongy and there is slight dependent livor mortis in the lower lobes. There is no evidence of granulomatous or neoplastic disease. Hilar lymph nodes are within normal limits and show mild anthracotic pigment.

G.I. TRACT:

The esophagus shows an unremarkable mucosa, a patent lumen, and no evidence of gross pathology. The esophagogastric junction is unremarkable. The stomach is of normal configuration, is lined by a smooth, glistening, intact mucosa, has an unremarkable wall and serosa, and contains ca. 30 cc. of yellow-green mucoid material. The duodenum, itself, is patent with a normal ampulla of Vater. Jejunum is grossly within normal limits. Ileum shows slight green-brown discoloration of the bowel serosa. There is no Meckel's diverticulum. The ileocecal valve is intact and unremarkable. The appendix is 5 cm. and grossly within normal limits. The colon has green soft stool. Anus and rectum are unremarkable, except for the previously described purple macule. Mesenteric lymph nodes are slightly prominent. Pericolonic lymph nodes are slightly prominent with a red-white mottled cut surface.

Case no. 9504017 (Gross - 3)

LIVER:

Weighs 1700 gms. It is tan, firm, and has a diffuse multinodular appearance which is reduplicated on the cross section.

GALLBLADDER:

Lies in its usual location, contains ca. 10 cc. of yellow-green bile with multiple green-yellow stones measuring up to 0.8 x 0.8 x 0.5 cm. The biliary tree is intact and patent.

PANCREAS:

Lies in its normal position, shows a normal configuration.

SPLEEN:

Weighs 680 gms. The capsule is intact. There is patchy congestion with a maroon-pink cut surface. Follicles are clearly visible.

ADRENALS:

Lie in their usual location, show yellow cortices and tan to gray medullae.

KIDNEYS:

The right kidney weighs 200 gms. and the left weighs 210 gms. The capsules strip with ease. Apart from retained fetal lobulations, there is no abnormality. Ureters, blood vessels, pelves, and medullae are unremarkable. The congestion is moderate.

URINARY BLADDER:

Contains ca. 15 cc. of yellow translucent urine. Its serosa and mucosa are unremarkable.

MALE GENITALIA:

The prostate is symmetric, rubbery, gray-tan and of normal size. The prostatic urethra is unremarkable. The testes are bilaterally present and show no evidence of tumor, trauma, or inflammation. The investing membranes are unremarkable as is the epididymis.

Case no. 9504017 (Gross - 4)

BRAIN AND MENINGES:

The scalp is opened through the customary intermastoid incision and shows extensive purplish discoloration in the areas previously described in the external exam. The calvarium shows no evidence of fracture or osseous disease. The brain weighs 1500 gms. Dura and leptomeninges are smooth, glistening, translucent and unremarkable without evidence of acute or chronic trauma. The cranial nerves and circle of Willis arise and distribute normally and show no significant pathology. Externally the brain is normally configured and symmetric and multiple serial sections of cerebral hemispheres, pons, medulla, and cerebellum show no gross pathological change apart from moderate congestion. The ventricular system is symmetric and unremarkable. The base of the skull is intact without osseous abnormality. Examination of the cervical spinal cord shows no evidence of traumatic or other significant lesions.

RIBS:

Intact.

PELVIS:

Intact.

VERTEBRAE:

Intact.

BONE MARROW:

Moist and dark red; unremarkable grossly.

MICROSCOPIC DESCRIPTION

AUTOPSY NO. ML 529-95

CASE NO. 9504017

=====

A - Perianal lesion shows dilated arterioles and capillaries and focal recent acute hemorrhage.

B - Right occipital contusion shows recent hemorrhage in the dermis, subcutaneous tissue and fat.

C - Left occipital contusion shows recent hemorrhage within the subcutaneous tissue and fat.

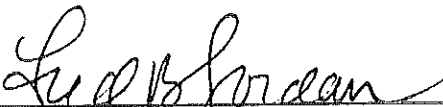
D - Laceration of neck and furrow shows focal intradermal hemorrhage.

E - Contusion over the styloid process of ulna shows a recent contusion in the form of extravasation of erythrocytes into dermis, subcutaneous tissue, and fat.

Sections of representative lymph nodes show marked perifollicular congestion. There are interweaving bands of fibrosis and some amorphous pink acellular material within the central portions of the follicular areas.

Sections of heart including coronary artery; lung; kidney; adrenal; liver with micronodular cirrhosis; pancreas with focal interstitial fibrosis and autolysis; spleen; tongue; representative section of G.I. tract; and central nervous system confirm and clarify the gross impression. Examination of slides made from swabs of anus and mouth do not reveal spermatozoa.

September 1, 1995
al


Fred B. Jordan, M.D.

BOARD OF MEDICOLEGAL INVESTIGATIONS
OFFICE OF THE CHIEF MEDICAL EXAMINER
901 N. Stonewall
Oklahoma City, Oklahoma 73117

OFFICE USE ONLY
Re: Co.

I hereby certify that this is a true & correct copy of the original document. Valid only when copy be imprint of the office seal.

By A. Lodgson
Date 3-1-96

REPORT OF LABORATORY ANALYSIS

NAME: **BROCKWAY, Vance**

MATERIAL SUBMITTED: **Blood, Vitreous, Urine, Liver**

LABORATORY NO. **952052**

DATE RECEIVED: **August 21, 1995**

CASE NO.: **9504017**

SUBMITTED BY: **Fred B. Jordan, M.D.**

MEDICAL EXAMINER: **Fred B. Jordan, M.D.**

RESULTS:

ADDENDUM TO REPORT DATED AUGUST 28, 1995

BLOOD: (Heart)

Caffeine - 6.0 mcg/ml

Negative for Amitriptyline, Amobarbital, Amphetamine, Butalbital, Carisoprodol, Chlordiazepoxide, Chlorpheniramine, Chlorpromazine, Cocaine, Codeine, Desipramine, Dextromethorphan, Diazepam, Diphenhydramine, Doxepin, Doxylamine, Glutethimide, Imipramine, Meperidin, Meprobamate, Mesoridazine, Methamphetamine, Nordiazepam, Nortriptyline, Pentazocine, Pentobarbital, Phencyclidine, Phenobarbital, Phenytoin, Primidone, Propoxyphene, Secobarbital, Strychnine, Thioridazine.

BLOOD: (Subclavian)

Caffeine - 6.9 mcg/ml

VITREOUS:

Caffeine - 6.4 mcg/ml

Negative for Amobarbital, Carisoprodol, Glutethimide, Meprobamate, Pentobarbital, Phenobarbital, Phenytoin, Primidone, Secobarbital.

LIVER:

Caffeine - 4.6 mcg/g

February 1, 1996

DATE

Philip M. Kemp, Ph.D.
Philip M. Kemp, Ph.D.
Chief Forensic Toxicologist

Please Note: Unless notified in writing to the contrary, the specimen(s) submitted in this case will be discarded at the end of 60 days.

BOARD OF MEDICOLEGAL INVESTIGATIONS
OFFICE OF THE CHIEF MEDICAL EXAMINER
901 N. Stonewall
Oklahoma City, Oklahoma 73117

OFFICE USE ONLY
Re. Co.
I hereby certify that this is a true
correct copy of the original
document. Valid only when copy
imprint of the office seal.
By A. Ledgerwood
Date 3-1-96

AMENDED

REPORT OF LABORATORY ANALYSIS

NAME: **BROCKWAY, Vance** TRENTADUE, KENNETH M.

MATERIAL SUBMITTED: **Blood, Vitreous, Urine, Liver**

LABORATORY NO. **952052**

DATE RECEIVED: **August 21, 1995**

CASE NO.: **9504017**

SUBMITTED BY: **Fred B. Jordan, M.D.**

MEDICAL EXAMINER: **Fred B. Jordan, M.D.**

RESULTS:

BLOOD: (Heart)

Ethyl Alcohol - Negative

URINE:

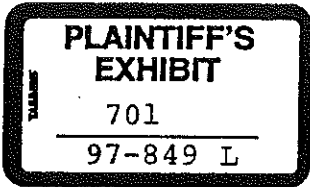
Negative for Amphetamine, Barbiturates, Benzodiazepines, Benzoylcegonine, Codeine, Methamphetamine, Morphine, Phencyclidine, Propoxyphene.

August 28, 1995

DATE

Philip M. Kemp, Ph.D.
Philip M. Kemp, Ph.D.
Chief Forensic Toxicologist

Please Note: Unless notified in writing to the contrary, the specimen(s) submitted in this case will be discarded at the end of 60 days.



EX 6

FEDERAL BUREAU OF INVESTIGATION

Date of transcription U.S.

On April 2, 1998, Special Agent (SA) TOM MOON ENG telephonically contacted RITA M. SAMPSON, Assistant General Council, Office of The General Council, Civil Litigation Unit One, Federal Bureau of Investigation, Headquarters, Washington D.C., (202) 324-9613, to determine if she had received eight original Polaroid Photographs taken on 8/21/95, of VANCE PAUL BROCKWAY, Inmate number 51098-098, and the interior of cell Federal Transfer Center (FTC), Oklahoma City, Oklahoma. SA informed SA LINN she was in possession of the photographs and would provide a copy via ICE/VIGIT.

On April 7, 1998, SA LINN received one copy each of eight color photographs, four depicting KENNETH MICHAEL TRENTADUE, also known as, VANCE PAUL BROCKWAY, and four depicting the interior of cell A709, FTC.

Investigation on 04/07/98 at Oklahoma City, OK (telephonically)

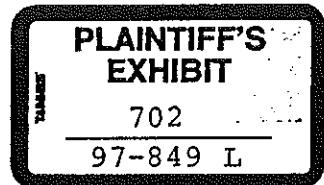
File # 282A-OC-56502 - 1135 Date dictated 04/09/98

by SA Tom Moon Eng Linn:tmel

04/08/98 TML

USA012 0418

EX 10



FEDERAL BUREAU OF INVESTIGATION

Date of transcription 03/25/99

On March 25, 1999, Special Agent TOM MOON ENG LINN located a set of 35 millimeter color photographic negatives, containing 29 images. At approximately 4:45 p.m., while unpacking in the new Federal Bureau of Investigation (FBI) Office, 3301 W. Memorial, Oklahoma City, Oklahoma, SA LINN was reviewing and sorting various photographs and negatives. The majority of the photographs and negatives concerned numerous Special Weapons and Tactical (SWAT) operations and firearms and submachine gun training sessions. Based upon my experience as the case agent in the KENNETH MICHAEL TRENTADUE death investigation, I recognized the newly discovered negatives containing 29 images as those taken of the death scene by Lt. KENNETH FREEMAN, on April 21, 1995.

The discovery of the above negatives marked the first time that SA LINN has seen those particular negatives. Further, SA LINN is uncertain as to the circumstances concerning how those particular negatives came to be located amongst the aforementioned SWAT training photographs and negatives.

Investigation on 03/25/99 at Oklahoma City, OK
File # 282A-OC-56502 and 197-HQ-1217391 Date dictated 03/25/99
by SA Tom Moon Eng Linn:tmel

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IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

ESTATE OF KENNETH MICHAEL TRENTADUE,
by and through its Personal
Representative, CARMEN AGUILAR
Trentadue, et al,

)
) **EX 21**
)
)
)

Plaintiffs,

vs.

) Case No. CIV-97-849-L
)
)

UNITED STATES OF AMERICA, et al

Defendants.

REPORTER'S TRANSCRIPT OF PROCEEDINGS
HAD ON DECEMBER 4, 2000
JURY TRIAL
VOLUME XI

BEFORE THE HONORABLE TIM LEONARD,
JUDGE PRESIDING

A P P E A R A N C E S

R. SCOTT ADAMS
Adams & Associates
204 North Robinson, 25th Floor
Oklahoma City, OK 73102

CHARLES P. SAMPSON
Sutter Axland
175 South West Temple, Suite 700
Salt Lake City, UT 84101-1480

COUNSEL FOR THE PLAINTIFFS

PETER E. SCHLOSSMAN
STEPHEN HANDLER
U.S. Department of Justice
Civil Division, Torts Branch
P.O. Box 888
Washington, D.C. 20044

COUNSEL FOR THE DEFENDANT UNITED STATES

1 Good morning. I told you on a few occasions we would
2 have legal issues that would arise, and we tried to resolve
3 some of these morning. And we didn't quite finish by 10:00,
4 so I hope you didn't mind having an extra cup of coffee.

5 Are the parties ready to proceed?

6 MR. ADAMS: Yes, Your Honor.

7 MR. SCHLOSSMAN: Yes, Your Honor.

8 MR. BARON: Yes, Your Honor.

9 THE COURT: Plaintiffs call their next witness.

10 MR. ADAMS: Tammi Corwine.

11 TAMMI CORWINE,

12 having been first duly sworn to tell the truth, the whole
13 truth, and nothing but the truth, testified as follows:

14 D I R E C T E X A M I N A T I O N

15 Q. (BY MR. SAMPSON) Would you state your full name and
16 spell it?

17 A. Tammi Lynn Corwine, T-a-m-m-i L-y-n-n C-o-r-w-i-n-e.

18 Q. Are you currently employed?

19 A. I don't have a full-time job. I help out with my
20 husband in his brother's business. I help them in the
21 office, but not everyday.

22 Q. In August of 1995, Ms. Corwine, did you work for the
23 Oklahoma Medical Examiner's Office?

24 A. Yes, I did.

25 Q. How long had you worked for that office?

DIRECT EXAMINATION OF TAMMI CORWINE

1 hearsay.

2 THE COURT: Be overruled.

3 THE WITNESS: I asked the warden where the ligature
4 was, and he brought it in. And I asked her also if who cut
5 him down, and she said he did.

6 Q. (BY MR. SAMPSON) Did you have a conversation with Carlos
7 Mier in the infirmary, the PA?

8 A. I think that's was the PA's name.

9 Q. Would you describe him, please?

10 A. Well, he was somewhat shorter than I am, dark hair, dark
11 skinned. He didn't speak English very well, but I asked him
12 when he came in, I said "Now, did you cut him down?" And he
13 just said, "No, I just do CPR."

14 Q. Do you remember anything else about the conversation
15 with the PA?

16 A. I asked him if he cut him down he said, no, he just did
17 CPR, that the guards cut him down. And I said, "What
18 guards?"

19 And he kind of with hands like upstairs, the guards. I said
20 okay, and that was all I asked him.

21 Q. What else did you do in the infirmary, if anything?

22 A. After I finished my exam, I asked if I would please be
23 able to see the cell, and I was told no.

24 Q. After you -- did you go up to the cell that morning?

25 A. Yes, I did. I was allowed to go to the cell. I just

CROSS-EXAMINATION OF TAMMI CORWINE

1 noticed that there was like a tube of toothpaste and a
2 plastic knife like you would take on a picnic was laying on
3 the bed, and it seemed strange right off the bat because it
4 looked just placed there.

5 MR. HANDLER: Objection, Your Honor; she is giving
6 a narrative answer.

7 THE COURT: Overruled.

8 THE WITNESS: It looked like it was just placed
9 there. And I remember seeing something on the floor, and I
10 asked what that was because it looked like the little
11 towelettes like you get to wash your hands. I was told that
12 was the shampoo. And I remember there was -- it was white
13 looked like probably some sheet. I didn't go in there, so I
14 can't say for sure that it was sheet, but hanging from the
15 vent. And I don't recall anything else.

16 Q. (BY MR. SAMPSON) How long were you at the cell looking
17 through the window?

18 A. This would be just an estimation, maybe ten minutes.

19 Q. Did you follow up on who cut down the inmate while you
20 were up on the seventh floor?

21 A. Yes, I did. When I walked up to the door, there -- I
22 want to say three guards standing on the side of like here's
23 the door, to the side were the guards. And I asked, "Did
24 one of you cut him down?"

25 MR. BARON: Excuse me, Ms. Corwine. Now, we are

1 getting into hearsay as to Mr. Lee, and I object.

2 MR. SAMPSON: I believe under the exception to the
3 hearsay rule that we were discussing this would be
4 appropriate.

5 THE COURT: Objection will be overruled.

6 THE WITNESS: I asked if one of them had cut him
7 down, and they said no, that the PA had cut him down. And I
8 said no, the PA didn't cut him down. I've already asked the
9 PA, and he said a guard did. So I never found out who cut
10 him down.

11 Q. (BY MR. SAMPSON) While you were at the cell on the
12 seventh floor with Lieutenant Freeman, did anyone from the
13 FTC offer to allow you into the cell?

14 A. No, they did not. Why would I have said no? That would
15 have been part of my job. No, no one ever offered me into
16 the cell, never once.

17 Q. After you viewed the cell, what did you do next?

18 A. After I was finished viewing the cell, I went back
19 downstairs to leave, and I spoke with Warden Carter and
20 explained that I was leaving and explained that very
21 possibly there would be an autopsy performed, and our office
22 would be in contact.

23 Q. While you were up on the seventh floor, did you notice
24 any blood in the hallway outside of the cell?

25 A. Yes, I did. There was just a few looked like splatters,

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IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

ESTATE OF KENNETH MICHAEL TRENTADUE,
by and through its Personal
Representative, CARMEN AGUILAR
Trentadue, et al,

Plaintiffs,

vs.

UNITED STATES OF AMERICA, et al

Defendants.

Ex 22

Case No. CIV-97-849-L

REPORTER'S TRANSCRIPT OF PROCEEDINGS
HAD ON NOVEMBER 15, 2000
JURY TRIAL
VOLUME III

BEFORE THE HONORABLE TIM LEONARD,
JUDGE PRESIDING

A P P E A R A N C E S

R. SCOTT ADAMS
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204 North Robinson, 25th Floor
Oklahoma City, OK 73102

CHARLES P. SAMPSON
Switter Axland
175 South West Temple, Suite 700
Salt Lake City, UT 84101-1480

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STEPHEN HANDLER
U.S. Department of Justice
Civil Division, Torts Branch
P.O. Box 888
Washington, D.C. 20044

COUNSEL FOR THE DEFENDANT UNITED STATES

Charyse C. Crawford, CSR, RPR
United States Court Reporter
5012 United States Courthouse
Oklahoma City, OK 73102 - PH. (405)609-5303

4746

DIRECT EXAMINATION OF DOUGLAS PERKINS

1 THE COURT: Mr. Groover, you may be excused, and
2 the Court would advise you that you are not to discuss the
3 testimony you have given here today with other persons who
4 may be a witness in this matter.

5 THE WITNESS: Thank you, Your Honor.

6 THE COURT: You may be excused.

7 (WITNESS EXCUSED.)

8 THE COURT: Plaintiffs call their next witness.

9 MR. SAMPSON: Douglas Perkins.

10 THE COURT: You may proceed, Mr. Sampson.

11 DOUGLAS PERKINS,

12 having been first duly sworn to tell the truth, the whole
13 truth, and nothing but the truth, testified as follows:

14 D I R E C T E X A M I N A T I O N

15 Q. (BY MR. SAMPSON) Would you state your name?

16 A. First initial J. Douglas Perkins.

17 Q. Who do you work for?

18 A. The Oklahoma State Bureau of Investigation.

19 Q. What is your present position?

20 A. Criminalist supervisor of the Trace Evidence Section.

21 Q. ~~How many people do you supervise?~~

22 A. At this time two.

23 Q. You say it's the "Trace Evidence Section?"

24 A. Yes, sir.

25 Q. What is "trace evidence?"

DIRECT EXAMINATION OF DOUGLAS PERKINS

1 then there is a stress fracture on the remaining short edge.

2 Q. So did you find any cuts on W1-3?

3 A. I did not.

4 Q. W1-1, W1-2, and W1-3 comprise the portion of the sheet
5 contraption that was around Mr. Trentadue's neck; correct?

6 A. Those three items were what I received labeled as a
7 ligature, yes.

8 Q. And you found no cuts on any of those items?

9 A. No, sir.

10 Q. Mr. Perkins, do you have a pen with you?

11 A. An ink pen, yes, I do.

12 Q. Would you write next to the copy of your report on W1-1,
13 W1-2, and W1-3, no cuts.

14 A. On the copy?

15 Q. On the exhibit, yes, sir.

16 A. (Witness complies.)

17 Q. Next, there is a group of materials labeled W2-1 through
18 W2-8 in your report.

19 A. Yes, sir.

20 Q. What did you understand those items to comprise?

21 A. That portion of the sheet that was labeled as suspended
22 from the vent in the cell.

23 Q. I won't ask you about each of those items specifically,
24 but I will ask you about them as a group. Did you find any
25 cuts through and through cuts on any of those pieces of



OKLAHOMA STATE BUREAU OF INVESTIGATION

2132 N.E. 36th Street
Oklahoma City, OK 73111
(405) 427-5421



CRIMINALISTICS EXAMINATION REPORT

LAB NO.:	98-3577	Reported To:	District Attorney
		Address:	Oklahoma County Courthouse 320 Robert S. Kerr OKC, OK 73102
Date Received:	SEE BELOW	Submitted By:	SEE BELOW
Date Reported:	06-19-98		
Classification of Case:	Unknown Death		

Suspect(s):	Victim(s):	Kenneth Michael TRENTADUE, (aka: Vance Paul BROCKWAY) WM, 12-19-50
-------------	------------	--

Description of Evidence:

The following items were submitted to the OSBI Oklahoma City Regional Laboratory by Randy Scott, Oklahoma City Police Department on 03-17-98.

- AROUND NECK* *OSB 11/16/98*
- W1 One (1) sealed papersack labeled "ligature" containing one (1) plastic baggie containing:
- W1-1 One (1) strip of bedsheet material measuring approximately 1 1/8 inches wide and 45 inches long.
 - W1-2 One (1) strip of bedsheet material measuring approximately 1 3/8 inches wide and 46 1/2 inches long.
 - W1-3 One (1) strip of bedsheet material measuring approximately 1 1/8 inches wide and 35 1/2 inches long.
- W2 One (1) sealed papersack labeled "Portion of sheet suspended from vent in cell" containing:
- W2-1 One (1) strip of bedsheet material measuring approximately 4 inches wide and 21 1/2 inches long.
 - W2-2 One (1) strip of bedsheet material measuring approximately 1 3/8 inches wide and 19 1/2 inches long.
 - W2-3 One (1) strip of bedsheet material measuring approximately 4 1/8 inches wide and 21 inches long.
 - W2-4 One (1) strip of bedsheet material measuring approximately 1 1/8 inches wide and 33 inches long.
 - W2-5 One (1) strip of bedsheet material measuring approximately 1 1/4 inches wide and 13 inches long.
 - W2-6 One (1) strip of bedsheet material measuring approximately 1 1/8 inches wide and 33 inches long.

Continued on Page 2



IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

ESTATE OF KENNETH MICHAEL TRENTADUE,
by and through its Personal
Representative, CARMEN AGUILAR
Trentadue, et al,

Plaintiffs,

vs.

UNITED STATES OF AMERICA, et al

Defendants.

E X 23

Case No. CIV-97-849-L

REPORTER'S TRANSCRIPT OF PROCEEDINGS
HAD ON DECEMBER 4-5, 2000
TESTIMONY OF TOM LINN
BEFORE THE HONORABLE TIM LEONARD,
JUDGE PRESIDING

A P P E A R A N C E S

R. SCOTT ADAMS
Adams & Associates
204 North Robinson, 25th Floor
Oklahoma City, OK 73102

CHARLES P. SAMPSON
Sutter Axland
175 South West Temple, Suite 700
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COUNSEL FOR THE PLAINTIFFS

PETER E. SCHLOSSMAN
STEPHEN HANDLER
U.S. Department of Justice
Civil Division, Torts Branch
P.O. Box 888
Washington, D.C. 20044

COUNSEL FOR THE DEFENDANT UNITED STATES

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Charyse C. Crawford, CSR, RPR

UNITED STATES COURT REPORTER
5012 UNITED STATES COURTHOUSE BUILDING
OKLAHOMA CITY, OK 73102 - PH. (405) 609-5303

30

1 (A RECESS WAS HAD, AFTER WHICH THE FOLLOWING PROCEEDINGS
2 WERE HAD IN OPEN COURT, WITH ALL PARTIES AND COUNSEL PRESENT,
3 AND WITHIN THE PRESENCE AND HEARING OF THE JURY.)

4 THE COURT: Be seated, please. Call your next
5 witness.

6 MR. SAMPSON: Tom Linn.

7 TOM LINN,

8 having been first duly sworn to tell the truth, the whole
9 truth, and nothing but the truth, testified as follows:

10 THE COURT: You may proceed, Mr. Sampson.

11 D I R E C T E X A M I N A T I O N

12 Q. (BY MR. SAMPSON) Would you state your full name and spell
13 it, please?

14 A. Tom, T-o-m; Moon, M-o-o-n; Eng E-n-g; Linn, L-i-n-n.

15 Q. Where do you work, Mr. Linn?

16 A. FBI.

17 Q. What do you do at the FBI?

18 A. I am a special agent.

19 Q. How long have you been a special agent?

20 A. 24 years and a few months.

21 Q. Have you worked in the Oklahoma City office most of that
22 time?

23 A. No, sir, the last ten years.

24 Q. In August of 1995, were you special agent in the Oklahoma
25 City office?

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(31)

1 A. Yes, sir.

2 Q. What were your responsibilities in that office?

3 A. In August, I was assigned to what we call the major
4 offenses squad violent crimes and major offenses.

5 Q. Anything else? Were you responsible for any facilities or
6 installations, anything like that?

7 A. No, sir, I was a firearms instructor.

8 Q. At some point in time were you assigned to investigate the
9 Kenneth Michael Trentadue matter?

10 A. Yes, sir.

11 Q. When was that?

12 A. It was an assignment made, I believe December 10. It was
13 -- the assignment was made on paper December 10 of 95.

14 Q. What was your assigned responsibility in the Trentadue
15 matter?

16 A. At that time, sir, the supervisor instructed me to assist
17 special agent Jenkins with the investigation.

18 Q. Was special agent Jenkins lead on that case?

19 A. Yes, sir, he was the case agent.

20 Q. Did there come a time when you became the case agent?

21 A. Yes, sir.

22 Q. When was that?

23 A. May 20, 96, sir.

24 Q. Agent Linn, after you -- after you were assigned to assist
25 agent Jenkins in the Trentadue matter, what did you do first?

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1 Q. Did any of the analysis provided by the FBI show any cuts
2 that matched between the ligature and noose to your knowledge?

3 A. To my knowledge, no, but that doesn't really bother me too
4 much. Would you like for me to explain, sir?

5 Q. When did you determine there were no cuts.

6 MR. SCHLOSSMAN: Objection; mischaracterizes the
7 witness's testimony.

8 MR. BARON: Objection; Your Honor, I would like the
9 witness to be afforded the opportunity to complete his answer?

10 MR. SAMPSON: He answered my question. The next
11 question was when did you find out that there were no cuts.

12 THE COURT: Objection overruled. You will have an
13 opportunity to further examine the witness and complete the
14 answer.

15 Q. (BY MR. SAMPSON) Agent Linn, when did you determine that
16 there were no cuts between the noose and ligature?

17 THE COURT: Excuse me. Was that his answer.

18 MR. SAMPSON: I believe that was your --

19 THE COURT: Reask that question.

20 Q. (BY MR. SAMPSON) Agent Linn, in the course of your
21 investigation did you determine that there were no matching
22 cuts between the noose as you call it around Mr. Trentadue's
23 neck and ligature that was hanging from the vent?

24 A. I didn't make that determination, sir. The experts at the
25 laboratory did.

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1 Q. You learned about it?

2 A. Yes, sir.

3 Q. When did you learn about it?

4 A. Sir, I don't recall the date. And I can't give you an
5 honest guess, sir. I am under oath I can't give you a guess,
6 sir.

7 Q. How did you learn about it?

8 A. Partially by phone, sir. As best I recall from the
9 laboratory.

10 Q. From the FBI laboratory?

11 A. Yes, sir.

12 Q. Did you make a note of that phone call in any of your
13 records?

14 A. Not that I recall, sir. I believe I was relying on the
15 laboratory report.

16 Q. What would the laboratory report that there were no cuts
17 between the noose and ligature?

18 A. I don't know that we would have a report specifically
19 addressing that one issue, sir.

20 Q. But you do recall there was a report?

21 A. Yes, sir.

22 Q. Agent Linn, as part of your investigation, you also sent
23 for laboratory examination some items found in the cell. You,
24 being the FBI.

25 A. Would you repeat the question?

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1 Q. When the results came back, do you know how many
2 individuals were identified by the DNA test?

3 A. Sir, the only direct connection through DNA was Kenneth
4 Michael Trentadue's blood, sir.

5 Q. Do you recall that an unidentified individual's blood was
6 found by the DNA testing?

7 A. Yes, sir; yes, sir. And I was the one that collected the
8 sampling, sir. Would you like an explanation of when and
9 where?

10 Q. Sure. Why don't you tell me?

11 A. Sure. As I recall in examining the cell, once I got
12 involved in the investigation, I observed a mattress located in
13 the cell. I examined it for blood for what I thought might be
14 blood stains, and I found two stains on it that I thought
15 appeared to be similar to blood, so we seized the mattress and
16 then later we cut those sections out along with a control
17 section, a section on the mattress that had no stains on it
18 that we could see and send that to the laboratory for
19 analysis. As I best I recall sir, without referring to notes,
20 the response back from the laboratory was that the blood on one
21 of the stains from the mattress was inconsistent with Kenneth
22 Michael Trentadue's blood. However, I tried to trace the
23 history of that mattress and there are no records pertaining to
24 mattress placement, when it was issued, which cell it was
25 issued to. And also following Kenneth Trentadue's death there

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1 were 16 other inmates live in that cell before I seized it. So
2 we have no idea where that blood stain came from, sir.

3 Q. Did you obtain any samples from any other inmates to
4 compare that blood to?

5 A. No, sir, and reason for that is our lab will conduct any
6 DNA examination on suspects. And the laboratory told us
7 repeatedly they are willing to do that all we have to do is
8 send in the sample from a suspect, sir.

9 Q. Did you obtain any blood samples from an inmate named Alden
10 Gillis Baker to send in?

11 A. No, sir.

12 Q. Did you send any samples from any correctional officers to
13 send in?

14 A. No, sir, there was no need to do that, sir.

15 Q. You were aware, Agent Linn, that the records of the Bureau
16 of Prisons FTC showed that Alden Gillis Baker occupied cell
17 A709?

18 A. Repeat that, please.

19 MR. SCHLOSSMAN: Objection; point and time.

20 Q. (BY MR. SAMPSON) Agent Linn, you were aware during your
21 investigation, weren't you, that the records of the Federal
22 Transfer Center show Alden Gillis Baker occupying cell A709 on
23 August 20th and 21st of 1995?

24 A. Sir, that is not entirely correct from my recall, sir.

25 Q. What's incorrect about it?

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1 Q. You were asked about a lab report about apparently soil on
2 the bottom of the shoes. Could you explain what relevance that
3 report had in your overall investigation?

4 A. Sir, it had very little relevance again because the inmates
5 walk, travel a path, and we don't know the history of the
6 shoes.

7 Q. You don't know the history of the shoes in relation to
8 Inmate Trentadue?

9 A. I am sorry. Yes, sir.

10 Q. You discussed there was an analysis from a lab report of a
11 section of a mattress. Could you identify where that mattress
12 came from?

13 A. Well, when I found the mattress, it was inside cell A709
14 which is the cell that --

15 Q. Do you know that that mattress that you took the sample
16 from was in cell A709 on August 21, 1995?

17 A. There is a little speculation there. We found two blood
18 types in there. One stain was identical to Kenneth Michael
19 Trentadue's blood types. We would surmise from that point,
20 sir, that the mattress was in the cell on August 21, 1995.

21 Q. Was that the mattress that was pictured in the photographs
22 that you have reviewed that was on the lower part of the bunk
23 bed?

24 A. Sir, I believe it was the mattress that was on the upper
25 bunk bed.

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1 about that you collected, how large was it?

2 A. Sir, it was smaller than. If you took an eraser on a
3 standard pencil and dabbed it on the mattress, it would be
4 smaller than that both stains.

5 Q. Special Agent Linn, you were asked about whether you
6 collected a blood sample from Inmate Alden Gillis Baker. You
7 testified that you did not. Why not?

8 A. We would have if we would have found any evidence
9 indicating that he was present in the cell with Kenneth Michael
10 Trentadue, if he had an opportunity to and a means to
11 contribute to his death or even assaulting. We were unable to
12 establish that. Again, we didn't consider him a suspect, so we
13 didn't solicit a blood sample from him.

14 Q. You were asked why you didn't collect blood samples from
15 correctional officers. Why didn't you do that?

16 A. Well, there are several reasons, sir. One is the
17 laboratory in Washington at that time was really overburdened
18 with the evidence processing from our Oklahoma City bombing.
19 And they would be willing to process DNA examinations for us if
20 we have a suspect. That is standard operating procedures for
21 our laboratory to conduct comparisons on suspects. It's a
22 lengthy costly process. We did not have a suspect to take a
23 blood sample from.

24 MR. SCHLOSSMAN: Your Honor, may I approach to get an
25 exhibit?

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