



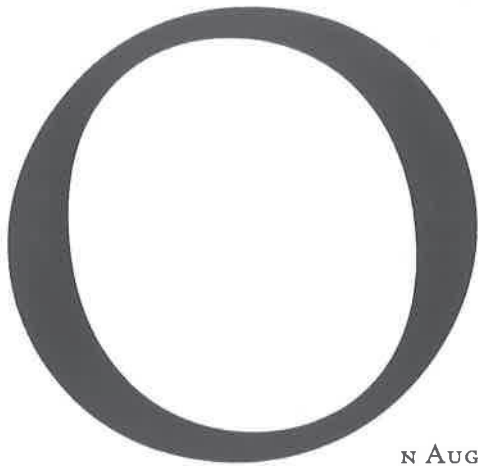
A Case of Homicide?

Prison officials swear Kenneth Trentadue committed suicide. But the facts in this bizarre and brutal death indicate otherwise and suggest a pattern of violence inside our federal penitentiaries

By Mary A. Fischer

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ON AUGUST 19 OF LAST year, Kenneth Trentadue called his sister, Donna, in Southern California and asked her to send stamps and a \$20 money order. Later that day, he talked to his older brother, Jesse, in Salt Lake City. The phone calls were the first ones Kenneth had made since arriving the previous day at the Federal Transfer Center, a maximum-security prison in Oklahoma City.

The seventeen-minute call to Jesse was light and chatty. The brothers joked about the greasy southern food Kenneth would probably be served, and they reminisced about the rich breakfasts of biscuits and gravy they'd had in the Appalachian coal-mining camp where they grew up. They spoke about Kenneth's forthcoming hearing for his 1989 parole violation. And they spoke of the new love in his life—his 2-month-old baby boy.

The next day, Kenneth called his mother in Westminster, California. There was something unusual about the call, Wilma Trentadue thought. It didn't come collect through an operator, as she knew inmate calls were required to. He had dialed direct. Kenneth asked about his father, a coal miner for sixteen years who was sick with black-lung disease. He reassured his mother that he was fine. He would be home soon, he said. The parole violation, the last

vestige of a bygone criminal chapter in Kenneth Trentadue's life, was a minor offense that, at most, carried a three-month sentence.

Then suddenly he said, "I gotta go," and hung up. It worried his mother that he didn't say good-bye. But she dismissed her concerns and went to bed.

At 6:45 the next morning, the phone woke Wilma Trentadue. The caller identified herself as Acting Warden Marie Carter. "I'm sorry to tell you this," the mother recalls the warden saying. "But your son is dead. He committed suicide."

THE STORY OF KENNETH TRENTADUE—AND WHAT happened to him two days after he went into custody at the Federal Transfer Center in Oklahoma City—might easily have ended with that official phone call. Several months ago, the FBI and the Federal Bureau of Prisons concluded their investigations and seemed to seal the story when they, too, concluded that the death had been a suicide.

But a year after Kenneth Trentadue's death, the story is still far from over. The evidence gathered for this article does not support the official version of events. While the fate of a former convicted felon might not matter much in the violent reality of prison life, in this case the people who may be responsible for his death—and its subsequent cover-up—are agents of the federal government. And it would appear that brutality by guards upon inmates is more common in federal prisons than is generally supposed.

Kenneth's death might have gone unnoticed and unexamined—the way most inmate altercations do—had it not been for two things that the Federal Bureau of Prisons had not counted on. Most prisoners have few, if any, close family members to help them with their cases or even mourn them when they die. But Kenneth was a Trentadue—part of a close, fiercely proud West Virginia mountain family distantly related to the legendary Hatfields. What's more, federal officers probably never

Kenneth Trentadue, with his wife, Carmen, and son



wants probe of inmate's death

Brother's Death at Transfer Center

Orange County

cal examiner declined to rule the death either a suicide or a death by hanging.

At Trentadue's family, which

minute he died," lease more details about Trentadue's death this morning, but added investigation still believed the death

ter, just west of Will Rogers World Airport, 7500 S MacArthur Blvd., opened last March. The facility detains between 750 and 900 inmates and employs about 125 cor

ter told Jesse Trentadue his brother, was found hanging from a sheet tied to a light fixture about 3 a.m. Aug. 21. But in a letter sent Wednesday to acting warden Marie Carter, Jesse Trentadue questioned the official version of the injuries,

officer six years ago. He was arrested last June during a routine traffic stop. A hearing on the parole and Jesse Trentadue, an attorney, said his brother was looking forward to clearing his record and finishing time.

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had to reckon with an inmate's relative quite like Jesse Trentadue, who is, of all things, a trial lawyer, as tenacious and aggressive as they come.

KENNETH TRENTADUE'S FAMILY WASN'T surprised by his arrest in July 1995 during a routine traffic stop, only by how long it had taken authorities to catch up with him on a 1989 warrant issued for a parole violation. Kenneth had always told his wife that it would happen one day and that when it did, he wouldn't run. He would do his brief stretch of time and return to the new life he had created. He had a strong marriage and good friends, and the month before his arrest, at age 44, he had become a father for the first time.

Kenneth had turned his life around. After his family moved to Southern California in 1961 to escape the depressed life of a West Virginia mining town known only as Hollow Number Seven, Kenneth got caught up with a rough crowd. He took drugs and robbed banks. In 1982 he was convicted of bank robbery and served six years at the United States Penitentiary in Lompoc, California. When he got out, he was 37 and determined to go straight. He abandoned his old ways; married his longtime girlfriend, Carmen; got a job in construction; and made plans for a family.

The only obstacle to getting his life together was the bad chemistry between him and his stern probation officer. Going

denied parole or recently convicted and sentenced to long prison terms—is likely to sink in. For some it would be more than they could bear, and they would resort to suicide in the usual prison way—by hanging themselves in their cells with a bedsheet. With this in mind, the FTC had been constructed with state-of-the-art escape- and suicide-prevention features, including air vents and light fixtures that made hanging oneself more difficult. The FTC experienced only one suicide, aside from the contested Trentadue death, in its first year.

On August 20, sometime after Kenneth abruptly ended the phone call to his mother, something unusual must have happened, for he wound up in the segregated housing unit on the seventh floor of the FTC. A twenty-four-hour lockdown solitary-confinement unit, the area is usually reserved for escapees and violent troublemakers.

At 3:00 on the morning of August 21, according to the official version, a guard on his normal rounds looked into Kenneth's cell and saw him hanging from a bedsheet tied to a light fixture. According to the prison statement, guards cut him down and called paramedics, who arrived within minutes. He was confirmed dead at 5:06 A.M. An autopsy was performed by the Oklahoma City chief medical examiner later in the day. Prison officials then prepared to cremate the body.

The job of notifying the family fell to Marie Carter, the second in command at the prison, since Warden Thomas Kindt was on vacation. "Of course, we'll pay for the autopsy and cremation," Wilma Trentadue recalls Acting Warden Carter say-

As the family examined Kenneth's body, they saw two massive blows to his skull, bruises on his body and fingertip marks under his arm. "They murdered him," his sister said to her mother.

beyond the normally prescribed restrictions, the officer placed a "no beer" condition on Kenneth's parole. In every other way, Kenneth was a model ex-felon—no drugs, no crime, steady employment. But he overreacted to the no-beer rule. He told the officer to "go to hell" and stopped reporting.

Three weeks after Kenneth's arrest, Carmen and the baby visited him at the Metropolitan Correctional Center in San Diego. He was about to be transferred to Oklahoma City for his hearing with the parole board, which was now permanently housed at a new \$80 million prison called the Federal Transfer Center (FTC), built on the perimeter of the city's airport. They talked about the playhouse and swing set he would build for their son when he returned home. He promised to call and write once he arrived in Oklahoma City. They kissed good-bye. It was the last time she saw him alive.

Four days later, on August 18, Kenneth arrived at the FTC. Like all inmates, he underwent physical and psychological exams. Inmate suicide is a legitimate concern at most prisons, but particularly at the FTC, a short-stop hub for prisoners bound for other penitentiaries around the country. It is at the center that the reality of their situation—some having been

ing when they spoke on the morning of August 21. It was a kind offer at a difficult time, Wilma thought, but then it occurred to her that it was really up to her son's wife to give permission for cremation. "He doesn't have a wife," Carter reportedly said. "Yes, he does," Wilma replied. "And he's got a baby." Prison records mistakenly showed Kenneth had an elderly mother and a sister but no other family. Wilma said she knew how to clear up the confusion. "I'll get in touch with his older brother," she says she told Carter. "He's a lawyer."

AS IS HIS HABIT, JESSE TRENTADUE WAS ALREADY at his law office at 8 A.M. when his wife, Rita, called with the news. "They say it was suicide," she told him. "That's impossible," Jesse said. "Not Kenney. There must be a mistake."

Three years older than Kenneth, Jesse had taken a more auspicious route in life than had his brother. While Kenneth robbed banks, Jesse went to the University of Southern California on an athletic scholarship and became a three-time track all-American. After graduating from the University of Idaho law school—where he met Rita—he was hired as a clerk for one of the most prominent federal judges in the

country. He went on to teach law at the University of North Dakota before moving to Salt Lake City, where he is a successful trial attorney.

Jesse called Acting Warden Carter immediately and began asking questions. (Several phone calls placed to Carter for this article were not returned.) "She told me Kenney was perfectly fine and unharmed when he went into protective custody," he recalls. Jesse asked the warden why his brother had been placed in protective custody in the first place. Carter reportedly told him that Kenneth had asked to be placed there, but beyond that, "she said she didn't know," Jesse recalls.

Jesse then directed Carter to do something FTC officials would have preferred not to. The prison was not to cremate Kenney, Jesse insisted. His family wanted the body shipped home. The remains arrived at the Peek Family Colonial Funeral Home in Westminster, California, in a metal coffin on the afternoon of August 26. Kenneth's mother, sister and wife went to the mortuary and waited in the viewing room. Donna clutched a camera. The attendant asked them one last time, "Are you sure you want to do this?" The women nodded. His body would tell the real story. Two men wheeled in the coffin. Kenneth was dressed in a brown polyester suit, and his face and hands were covered with a thick, milky wax to make him look more presentable. Carmen glanced down at her husband's pale, lifeless body and began to cry.

The women's attention was drawn instantly to Kenneth's neck. There was a deep, blood-encrusted wound beginning under his right ear and extending to the middle of his neck. His corpse had been prepared in a way that seemed to focus attention on the neck. It had no wax makeup, and Kenneth's collar had been turned down on the right side.

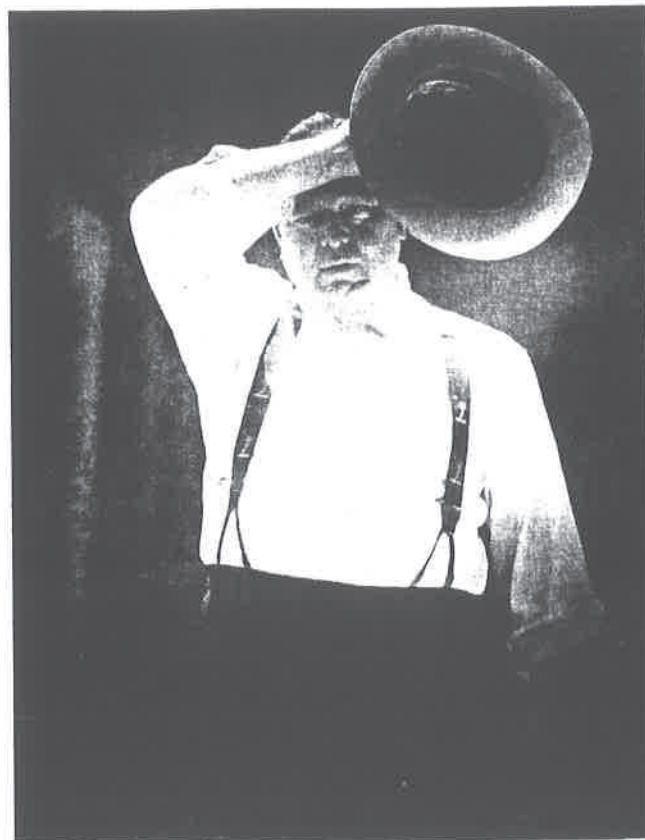
It was dark in the room. Donna took the top off a nearby lamp to get a better look. Carmen gasped. Her husband's forehead and skull were black-and-blue. They needed to see more. Donna told the attendant to remove the wax and strip Kenneth to his briefs. Without the wax, they got a good look at his head and hands. They saw two massive blows to his skull, bruises on his knuckles and fingertip marks under his left arm. Donna had suspected this from the beginning: "They murdered him," she told her mother.

The massive bruises on his left wrist and ankles suggested that he had been more than just shackled. They took off his socks. What they saw startled them. There were bruises on the soles of his feet. They tried to turn him over. At 170 pounds, he was a compact, powerful man to begin with, but now that rigor mortis had set in, moving him was like wrestling with a block of wood.

As Donna stood over her brother's body, she vowed, "As God is our witness, as you fought for your life to the end, we'll fight for justice for you to the end."

The day after the memorial service, Jesse Trentadue continued documenting his brother's injuries. He measured and videotaped every mark. "It was awful," Jesse says. "But it had to be done." Patches of skin were missing from Kenneth's back, and there were bruises on his buttocks and calves.

As Jesse worked, he thought about what Carter had told him a few days earlier: Kenneth was fine when he went into the segregated cell. That meant his brother's injuries oc-



Jesse Trentadue vowed justice for his dead brother.

curred after he was taken out of the general inmate population and placed in solitary confinement, where, presumably, the only people who had access to him were FTC guards.

"I will always be thankful to him for his wounds," Jesse says. "For in death he was able to tell us that it wasn't suicide." With the photographs, the Trentadues thought they had the evidence to prove it.

JESSE WAS EXHAUSTED WHEN HE FLEW INTO DALLAS later that night. He had not slept for two days and had been drinking gin almost straight for the last four. Still, he had an important errand. He wanted Michael Hood, the regional counsel in charge of his brother's investigation for the Federal Bureau of Prisons (BOP), to see the photos. Hood had questioned the guards at the FTC the day after Kenneth's death. Jesse already believed that Hood had not questioned them vigorously enough.

Learning that Hood was out of town for the day, Jesse left a set of photos for him to see upon his return. (My requests to interview Hood were referred to the BOP in Washington, D.C. Three spokesmen there declined to comment on questions submitted both orally and by fax.)

Jesse flew to Oklahoma City the following day and handed out copies of the photos to local reporters and the medical examiner. He gave a set to Jeff Jenkins, the FBI special agent investigating his brother's case. Jenkins did accept them but wouldn't look at them, Jesse says: "He said they disturbed him." (A call to Jenkins was referred to FBI agent Dan Vogel, who declined to comment on the case, saying it was under review by the Department of Justice.)

ON SEPTEMBER 1, WHILE JESSE WAS STILL IN Oklahoma City, the FTC issued its first press release on Kenneth's death. Interestingly, the prison had released no official statement on the incident until the day after Hood returned to his office in Dallas and presumably saw the graphic photos Jesse had left for him the previous afternoon.

"Other cuts and abrasions found [on Kenneth Trentadue] would indicate persistent attempts...to cause himself serious injury or death," the release said. Kenneth's injuries were "self-inflicted" by "permissible items found in the cell." Those standard prison-issued items consisted of his personal effects—a toothbrush, a deck of cards, three combs and a small tube of toothpaste, the bottom edge of which the BOP claims Kenneth used to cut his neck and throat. When that didn't kill him, prison officials say, he hanged himself with one of his sheets.

That version of events can't explain a number of other injuries—the fingertip bruises on his biceps and in his armpit, the bruises on his buttocks and the soles of his feet and the neck wound. The incision was made on the right side of Kenneth's neck, seemingly an awkward feat for someone who was right-handed. And, according to the medical ex-



Kenneth's battered body belied official explanations.

aminer's supplemental report, which would come out later, FBI agents had never told the examiner that they'd found any blood or tissue on the tube of toothpaste.

Not content to work on only one front, Jesse began writing letters to various federal officials to get more answers. The letters to BOP officials, the FBI and Attorney General Janet Reno (which today number over 200 and fill five volumes) started with a reasonable, earnest tone. But they quickly changed to cynicism and rage, Jesse says, because "of the lies and evasive answers I was receiving."

In December, when Kathleen Hawk, director of the Federal Bureau of Prisons, wrote Jesse that the agency had been fully cooperative in his brother's case, he replied to her with a terse message: "Horseshit!" In his correspondence, he began using the sarcastic term "B'oops" to refer to BOP officials. (Hawk declined to talk to GQ.)

When Wallace Cheney, the BOP assistant director, wrote in January that it was "not possible to state accurately the cause" of his brother's death because there was an ongoing investigation, Jesse exploded. He believed differently based on what BOP regional counsel Hood had told him three months earlier—that the agency's investigation had been concluded. "It's over," Jesse recalls Hood saying in September, three weeks after the death. "There's nothing more we'll do." Hood, however, had neglected to wait for a crucial piece of evidence—the medical examiner's autopsy report—before stating his findings.

DR. FRED JORDAN, OKLAHOMA CITY'S CHIEF medical examiner, and Kevin Rowland, the M.E.'s chief investigator, had trouble with the case from the outset. They declined to release an autopsy report until this past March, a full seven months after the incident. "In all my days," Rowland says, "in no way, shape or form have I ever seen a suicide like this."

On the morning of Kenneth's death, Rowland told his assistant, Tammi Gillis, to "go ahead and work the scene." However, she was not allowed access to Kenneth's cell, she says. Rowland was later told by officials, he says, that the cell had been cleaned within hours after the incident, which meant that all evidence of blood and fingerprints had been destroyed.

.. In taking such action, the FTC apparently broke Oklahoma state law, which allows a medical examiner access to anything he deems necessary in the course of an investigation. And, from an official BOP policy list obtained by GQ, it would appear that the FTC also violated federal rules. "In the event of a suicide," the BOP document states, "institution staff...shall handle the site with the same level of protection as any crime scene in which a death has occurred to ensure that available evidence and documentation is preserved...for subsequent investigators."

According to Rowland, Gillis demanded to inspect another crucial piece of evidence, the device with which Trentadue supposedly hanged himself. An FTC officer gave her a braided sheet that was twenty-three inches long. Given the size of Kenneth's neck—nineteen inches—that left just four inches to tie off and hang himself. (My request to interview the FTC's spokesperson, Gary Gray, about Rowland's statements was referred to BOP officials in Washington, who would not respond to questions.)

In the past, when the parole board was still housed at El Reno penitentiary, the Oklahoma City medical examiner's office stopped taking death cases from federal officials at the prison. "There was too much bullshit," Rowland explains. "Every case was so screwed up, and we could never get any cooperation from the Feds. They didn't know their heads from their asses out there. They had a high level of arrogance. They had the attitude, 'We're the BOP, and no one tells us what to do.'" (BOP officials would not comment on Rowland's charges.)

But the Trentadue case was different. It was the first death to occur at the new FTC facility, and from the details surrounding the incident and the behavior of BOP officials,

Rowland decided “there was no way I was going to let the fox watch the henhouse.”

The first time he went to see FTC officials after Kenneth’s death, Rowland says, he was “met with very cold treatment. It was clear they didn’t investigate shit, but they already had an opinion formed.” Rowland found Trentadue’s death to be so suspicious that he says he told FBI agent Jenkins to investigate it as a possible homicide.

With FTC officials, Rowland decided “to play possum.” The answer to his first question—Did any inmate have access to Trentadue?—narrowed the field of possible culprits:

When the medical examiner’s investigator finally inspected Kenneth’s cell, he coated the floors and walls with the blood-detecting substance Luminol, and “the place lit up like a Christmas tree.”

“They said, ‘No, absolutely not.’” Rowland says he then asked about the troubling head wounds. An FTC officer, Rowland says, explained that Kenneth had hit his head on the metal sink or bed frame when he had fallen during previous suicide attempts. Rowland didn’t buy that explanation.

Since Kenneth’s cell had already been cleaned, the only physical evidence the medical examiner’s office had to go on was the autopsy findings. While some of the injuries could be explained by self-destructive acts, several others could not. “We still have problems with the head wounds,” Rowland told me. “And the bruises on the inside of the underarm—you can’t self-inflict those.”

When Rowland finally inspected Trentadue’s cell in December, he coated the floors and walls with the blood-detecting substance Luminol, and seventeen weeks after the incident, he says, “the place lit up like a Christmas tree.”

Jordan and Rowland were not the only ones troubled by Kenneth’s death. The two paramedics who had answered the 911 call from the FTC also had concerns. (The paramedics asked that their names not be used and confirmed their stories to me through their attorney.)

As a 911 log sheet shows, there were actually two calls made from the FTC on the morning of August 21. The first was at 3:21 A.M. The paramedics were allowed into the prison and told that Kenneth was still alive. They were not, however, allowed to see or treat him, which they found bizarre, considering it was their job to save lives. After a long wait, they say, a distraught physician’s assistant told them that Trentadue was dead. One paramedic asked the assistant if he had applied a cardiac monitor to Kenneth’s chest to make sure he was dead. The assistant said yes, but the paramedic says she believes he was lying.

The paramedics returned to their office, but at 4:55 A.M. they received the second 911 call. This time they were allowed in and saw Kenneth’s body. He had been removed from his cell to another floor. Several officials, including Carter, stood around the body. Given the nature of Kenneth’s

wounds, the paramedics say, they found the absence of blood on his body to be “remarkable.” They figured he had probably been washed up before they were allowed to see him.

There were other troubling details. One paramedic looked at Kenneth’s chest for evidence that he had been connected to a cardiac monitor but saw none. The other was disturbed by Kenneth’s head wounds. An FTC officer, the paramedic said, explained that Kenneth had fallen and injured himself in an earlier suicide attempt when the makeshift rope broke. Despite the paramedics’ revealing account, they say they have never been interviewed—or even contacted—by the FBI or

the BOP. (Neither agency would comment on that oversight.)

Other details about Trentadue do not indicate that suicide was a likely outcome. According to the profile rendered by Lindsay Hayes, assistant director of the National Center on Institutions and Alternatives and the country’s foremost expert on prison suicide, Kenneth met none of the criteria. Most inmates who kill themselves, Hayes says, “resort to suicide as a result of having been denied parole, indicted on new charges or [if] facing the end of a relationship.” Another possible trigger—the fear of attack from other inmates—is the reason FTC officials gave for putting Trentadue in the supposedly safe housing unit in the first place.

The paperwork obtained by Jesse through a Freedom of Information request produces more questions than answers. The results of the obligatory physical and psychological exams Kenneth underwent when he arrived at the FTC on April 18 show that he had no injuries, no signs of depression and no suicidal tendencies. Even more curious is the required form the FTC claims Kenneth signed using his alias of Vance Brockway in order to be placed in the segregated unit. The Trentadue family showed me copies of Kenneth’s handwriting and signature, and I compared these samples with the writing on the FTC form. While some letters looked similar, the capital letters and the numbers of his registration identification were totally different.

Another claim about the form attributed to Kenneth—that other inmates were out to get him—also doesn’t ring true in light of the skewed pecking order of prison culture. Several inmates interviewed for this story said that as a former bank robber, Kenneth would have been a man respected by other prisoners, not a target. There is also the discrepancy between the time given on the form for when he was supposedly placed in the segregated unit (7:58 A.M.) and the time (12:00 P.M.) when he made his last phone call to his mother. If Kenneth had actually been transferred to solitary confinement when the form states, he would not have had access to a phone to make the call that ended so

abruptly. (Again, these are matters on which the FTC will not comment.)

Jesse Trentadue believes a more likely scenario is that Kenneth had some sort of altercation with the guards while he was still in the general prison population. Perhaps the trouble started with the phone call to his mother, wherein Kenneth was discovered using an unsecured phone in an administrative office instead of a designated inmate pay phone. That would account for the abruptness with which he ended the call. Once confronted, Kenneth might have given guards "some lip," Jesse speculates. His brother was a sensitive, good-natured man until someone crossed him, and then, Jesse says, "Kenney was never one

he had requested. The situation escalated, with threats and insults hurled back and forth. Eventually, says Hammer, a SORT (Special Operations Response Team) "dressed in black and armed with batons, Plexiglas shields and a Taser stun gun stormed the cell." One guard was holding a rope made from a braided bedsheet, Hammer says.

He claims fighting then broke out next door, and "I heard the inmate beg them to stop." Later, Hammer says, he saw the inmate being "dragged past my cell, bleeding." He appeared to be unconscious, Hammer claims, and there was a bedsheet draped loosely around his neck.

James Matchette's experience in the FTC's segregated unit in April 1995, partially documented in an official inci-

"Of course abuse happens in federal prisons as frequently as in any other system," says one expert. "It's just that the federal government has so much money and power, it pretty much gets what it wants."

to run from a fight, because he could back it up."

Descriptions of the segregated housing unit at the FTC (and most other federal prisons) also make it seem unlikely that Kenneth—or any inmate, for that matter—would have asked to be placed there voluntarily. Better known as "the hole," the twenty-four-hour lockdown solitary-confinement unit has no library or television and there are no recreation privileges. When inmates are taken from their cells for any reason, their wrists and ankles are shackled. Normally reserved for violent offenders, the units are also used to discipline inmates, various prisoners have told me.

The FTC's solitary-confinement unit, even in its short history, has displayed a pattern of brutal incidents, according to a number of inmates interviewed for this story. While convicted felons might not be considered the most reliable sources, the pattern of detail they relate is consistent, even though they have not met.

David Paul Hammer, convicted of kidnapping and robbery, is serving three consecutive 400-year sentences in a federal prison in White Deer, Pennsylvania. As he points out, since he's obviously not getting out of prison anytime soon, talking to a reporter and exposing his identity is a risky proposition that could invite reprisals. But like the other inmates interviewed for this story, Hammer hopes that by his talking, "this kind of thing will get exposed."

While in custody at the FTC last May, Hammer read about Kenneth's death in the local papers and wrote Jesse Trentadue. During his two weeks at the FTC, Hammer was held in the segregated housing unit—where Kenneth died—because of his prior escape attempts. According to Hammer, he watched as "a group of eight to ten guards in full riot gear threatened to kill and then [did] attack an inmate in the cell next to mine." The altercation apparently began when the inmate complained to guards about his dinner, which had turned out not to be the religious diet

dent report (a copy of which was obtained by GQ), occurred only two weeks after the prison opened. After he was transferred to the FTC from the penitentiary in Lompoc, Matchette, convicted of armed robbery, says that he and a fellow inmate complained about another prisoner being kicked and beaten by guards. They were reportedly told to "shut up. You California badasses will get yours once you get upstairs."

Matchette and his friend were taken to the segregated housing unit, where they claim they were beaten and kicked by guards. He told me that "a SORT team of eight guards in full body armor entered our cell." The inmates were "forced to the ground and handcuffed. While lying on the ground handcuffed, I was repeatedly punched and kicked in the rib cage and face." His friend, he says, was undergoing similar treatment. Matchette says he was strangled into submission by a guard using a two-foot-long braided bedsheet. Finally, he says, the inmates were stripped and chained naked to their beds for eight hours.

THE FIRST WARDEN OF THE FTC WAS THOMAS Kindt. Today he lives with his wife on a quiet cul-de-sac in College Station, Texas. He retired from the prison last September, two weeks after Kenneth Trentadue's death, ending a twenty-eight-year career as a federal corrections officer and warden. (The timing of Kindt's retirement doesn't appear to be related to the Trentadue incident.)

Given the stonewalling by other FTC officials, I decided to pay an unannounced visit to Kindt's house. In his time, he worked at some of the toughest federal penitentiaries, including those at Lewisburg, Pennsylvania; Terre Haute, Indiana; and Marion, Illinois. But considering that Kindt was not expecting me and had just awakened from a midday nap, he was, to my surprise, receptive to being interviewed.

Since Kindt had been on vacation the week of the incident, I wanted to show him the photos of Kenneth's body

and get his reaction. Kindt was surprised by my interest in the case. Two weeks earlier, he'd received a letter from his former boss at the BOP, Charles Turnbo, that said the Trentadue investigation was closed. "It's all over," Kindt told me. I asked to see a copy of the letter; Kindt tried to find it but couldn't.

He recalled that when he returned to the FTC on August 28, "there was a lot of activity," and people "were coming and going" because of the investigation into Trentadue's death. He added that some people at the prison were "afraid for their jobs." If there had been mistakes, Kindt said, they had been made in not following procedures, which he claimed had to do with the FTC's being a new facility. He acknowledged that incidents of excessive force happened at other, older institutions, like El Reno—where he was once the warden—but not at the FTC. He had handpicked the staff himself, hiring 300 of "the best people" from federal prisons around the country. There had not been time for guard cliques to form, as they had at older institutions, he contended.

An interview with former El Reno inmate Paul Van Riessen suggests that may not have been the case. He claims that at least four officers from El Reno's "Gestapo squad," as the prisoners called them because of their alleged habit of abusing prisoners, were, in fact, transferred to the FTC. I mentioned the four names to Kindt, but he said he was not aware of them.

While warden at El Reno, Kindt once tried to discipline a guard who had a history of abusing inmates. The guard retaliated by drowning Kindt's cat, he said. "El Reno is a nasty, nasty place," agrees Rowland. He adds that "some of the guards out there belong behind the bars."

In 1993 six federal marshals from El Reno were indicted on—and pleaded guilty to—charges of beating and kicking

Steven Cole, the orderly who cleaned the bloody cell



RAYMOND MEEKS

an inmate while he was in leg irons and handcuffs. One of the guards, Jerry Thornton, was sentenced to one year in prison for attempting to keep another guard from telling the FBI the truth about the incident. Unless the guard lied, Thornton warned him, "people would get him in trouble."

Professionals connected to the prison system say that instances of abuse in federal prisons are not unusual and that most go unreported and unaddressed: "Of course abuse happens in federal prisons as frequently as in any other system," says prison-suicide expert Lindsay Hayes. "It's just that the federal government has so much money and power, it pretty much gets what it wants." The problem of excessive force, says Jenni Gainsborough, an aide with the National Prison Project, an adjunct organization of the ACLU, "is worsening in some prisons because of overcrowding. There's more stress on guards and prisoners, and then it escalates." Lawmakers considered it enough of a systemic problem, in fact, that they included a provision in the 1994 Crime Bill that directs the attorney general's office to collect statistics (as yet unavailable) on violence by law enforcement, including brutality by guards against inmates.

Certain key legal barriers that don't exist in the state prison system make it almost impossible for inmates to sue the federal government. Under the Federal Tort Claims Act, federal officials have an expanded degree of immunity from prosecution. There is also little incentive for an attorney to take a federal prisoner's case, since the amount that can be reclaimed in legal fees is very limited—much more so than in the state system.

What's more, a federal prisoner must first exhaust a labyrinthine, three-stage grievance process before any federal judge will consider looking at the case. Since federal officials are subject to no time limit in investigating a grievance, the process can drag on for years. Further complicating matters is a ploy that inmates refer to as "diesel therapy." When prison officials want to punish an inmate for speaking out, they put him on a prison bus that shuttles him continually from one prison to another. This way it becomes virtually impossible for lawyers or family members to locate an inmate in the vast federal system, which today includes eighty-six prisons.

DURING MY VISIT WITH KINDT, HE WENT ON TO tell me that when he returned from vacation, he learned that an FTC investigator by the name of Kenny Freeman, following standard BOP procedure, took what amounted to a six-inch stack of black-and-white photos of Kenneth's body, his bedding and the cell where he died. Kindt told me he had not seen the photos. (I confirmed that a Kenny Freeman works at the FTC, but I was unable to reach him.)

It was an interesting revelation, since the BOP has always maintained to medical examiner's investigator Rowland and Jesse Trentadue that no such photos of the intact cell had ever been taken. I later told Rowland about the photos, and he was astonished: "If those photos exist, we sure don't know about them." According to the investigator, FTC officers also told him that the unit's video camera—the only other means by which the incident could have been recorded—had malfunctioned the night Kenneth died. (continued on page 309)

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Kindt looked at the photos of Kenneth's body taken by the family and seemed genuinely surprised. "I can see how someone would think it was suspicious," he said. He offered the same explanation for the head wounds as other FTC officials had—that Kenneth could have fallen during a previous suicide attempt and hit his head on the metal sink. But for some of the other injuries, like the fingertip bruises under his arm, the former warden could offer no explanation. "I'll tell you this," he said. "It's a real mystery. No one will ever know what really happened."

Kindt's prediction might have proved correct had it not been for two key witnesses who have come forward recently. Persistent as he had been, Jesse's letters and phone calls to various federal officials had failed to budge the FBI and BOP from their position that Kenneth committed suicide. His contacts with various members of the U.S. Congress offered some temporary hope, but they too received unhelpful responses from the BOP and the Justice Department to their queries about the matter. The case remained stuck.

Then, in March, the medical examiner's office released its report. While the office had no trouble ruling traumatic asphyxiation as the cause of death, the all-important manner of death—whether accident, homicide or suicide—was still so ambiguous that Fred Jordan labeled it "unknown." In a supplemental report, though, Jordan provided some reason to believe that Kenneth had been strangled: He said that the ruptured capillaries he found in the inmate's eyes and a fractured hyoid bone (located at the base of the tongue) were not unusual in strangulations. Jordan also reported the possibility that the blows that produced Kenneth's injuries were sufficient to render him unconscious.

As a courtesy, Jordan wanted Jesse to be the first to know of his findings. While it was not the homicide ruling the Trentadues had hoped for, it was, as Jesse wrote to the BOP's Michael Hood and Wallace Cheney four days later, "a far cry from your suicide pronouncement made on September 1, 1995. We are halfway there. Kenneth Trentadue 1—B'oops 0!"

During the meeting, Jordan reportedly explained his reservation about ruling Kenneth's death a homicide. "He told me he was troubled by my brother's injuries," Jesse recalls, "but on the other hand, he said the FBI had taken a compelling statement from an inmate who had been in the cell next to my brother." The FBI, Jordan said, told him that the inmate had signed a statement that alleged Kenneth was "shouting, banging on the walls and/or jumping on and off the sink" in the early morning of August 21. The inmate supposedly went on to tell an FBI agent that he saw Trentadue hang-

ing from a ventilation vent in his cell. It couldn't be true, Jesse thought. He had to talk to the inmate himself. When Jordan left the office for a moment, Jesse seized his opportunity. He rifled through a pile of papers on Jordan's desk, found the FBI report and scribbled down the inmate's name: Cornell Thornton.

Thornton is currently an inmate at the state penitentiary in Grady, Arkansas. He was transferred from California to the FTC on August 18, 1995. Because he had a history of an escape attempt, he was placed in the security unit. Prison documents confirm that Thornton was placed in cell number 708A, the cell next to Trentadue's, and that he was still there on the day the latter died.

I arranged an interview with Thornton in early June. He said he didn't like the FBI, but beyond that, his only motive for talking to me was so "the truth comes out." In allowing his name to be used in print, he pointed out that he, an incarcerated inmate, had "everything to lose and nothing to gain." He affirmed all of his interview comments in a signed affidavit.

Thornton confirmed that a BOP agent—and later an FBI official—came to see him after Trentadue's death. But, he said, the statements the FBI attributed to him that suggested suicide were "a lie." He said he'd "made no such written or signed statement to the FBI" concerning Kenneth's death. "I never said these things, because they were

not true. The truth is, Kenneth Trentadue was not behaving strangely prior to his death. He was not shouting, he was not banging the walls, and he was certainly not jumping on and off the sink." Thornton said he had heard nothing unusual in the cell next to his. When he later heard a guard shouting in the middle of the night, he looked out the window of his cell door into Trentadue's cell and "did not see him hanging," he said. When the door to Trentadue's

cell was finally opened, Thornton said, "I saw his body. He was lying on the floor of his cell." Later that morning, Thornton said, he "tried to tell [other] guards at the FTC that Kenneth Trentadue didn't kill himself. I was told to 'Sit your ass down and get away from the door.'"

The most important witness came forward in June. He is Steven Cole, the inmate orderly who cleaned up Kenneth's cell after the death. In an interview with GQ one week after he was released from the FTC, he said he'd decided he "had to tell somebody what I saw after I realized that I was probably used in a cover-up." He also affirmed his statements in a signed affidavit.

Cole believes that Trentadue "was killed." The cell, he said, "was a bloodbath. There was blood on the floor and splattered all over the walls." There was so much blood in a particular spot on the floor "that it had to be cleaned up with a mop," Cole added. He said he saw bloody fingerprints around, but not on, the alarm button located near the door inside the cell. "From those fingerprints," said Cole, "it seemed to me as though he had been trying to reach the alarm button when he was killed."

Then there was the problem with the light fixture and the air vent from which Trentadue supposedly hanged himself. Cole said he found no blood on either one. He did, however, find dust, which had been undisturbed by any fingerprints.

More important, Cole told me that Kenneth's bedsheets were all in place and intact on his bed, which suggests that he could not have used them to hang himself.

Despite Cole's revealing account of the incident, he says that no one from the FBI or the BOP has ever contacted him. When I asked those agencies for a response to Cole's account, they declined comment.

The case of Kenneth Trentadue is currently under review by lawyers in the Civil Rights Division of the Department of Justice. They have two courses of action—close the case or bring it before a federal grand jury in Oklahoma City. Three factors—the eyewitness accounts disclosed in this article, the medical examiner's refusal to rule the death a suicide and the photos of Trentadue's body—are damning aspects that would seem to warrant additional investigation.

"This case needs to be in front of a grand jury," insists investigator Kevin Rowland. "And I'm going to tell a hell of a lot more than I know." If indictments result, lawyers from the Civil Rights Division in Washington, D.C., will prosecute those cases, as they did the Rodney King case. If that happens, the official wall of silence that surrounds the awful events of August 21, 1995, will come crashing down. ♦

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