

COVER-UP IN CELL 709A

In the September 1996 issue of GQ, Senior Writer Mary A. Fischer unraveled the suspicious events surrounding the August 21, 1995, death of inmate Kenneth Trentadue while he was in custody at the Federal Transfer Center (FTC) in Oklahoma City. Prison officials claimed Trentadue, 44, had committed suicide. U.S. Bureau of Prison (BOP) guards said they found him hanging by a braided bedsheet in his cell. The story would have ended there had prison officials gone ahead with their plan to cremate Trentadue's body immediately. But they ran into an unexpected obstacle—the Trentadue family, led by Kenneth's older brother, Jesse, an astute and aggressive trial lawyer. The family demanded that Kenneth's body be shipped home to Westminster, California. When they opened the coffin and saw his bruised and battered body, their suspicions were confirmed. From the wounds on his body, it appeared that Kenneth had been beaten to death.

Jesse Trentadue and GQ conducted a lengthy investigation, uncovering information and tracking down witnesses, both inside the prison and out, who provided evidence of a brutal struggle that took place between Trentadue and a group of federal guards. Rather than shedding light on the incident, the federal bureaucracy has kept the matter shrouded in darkness.

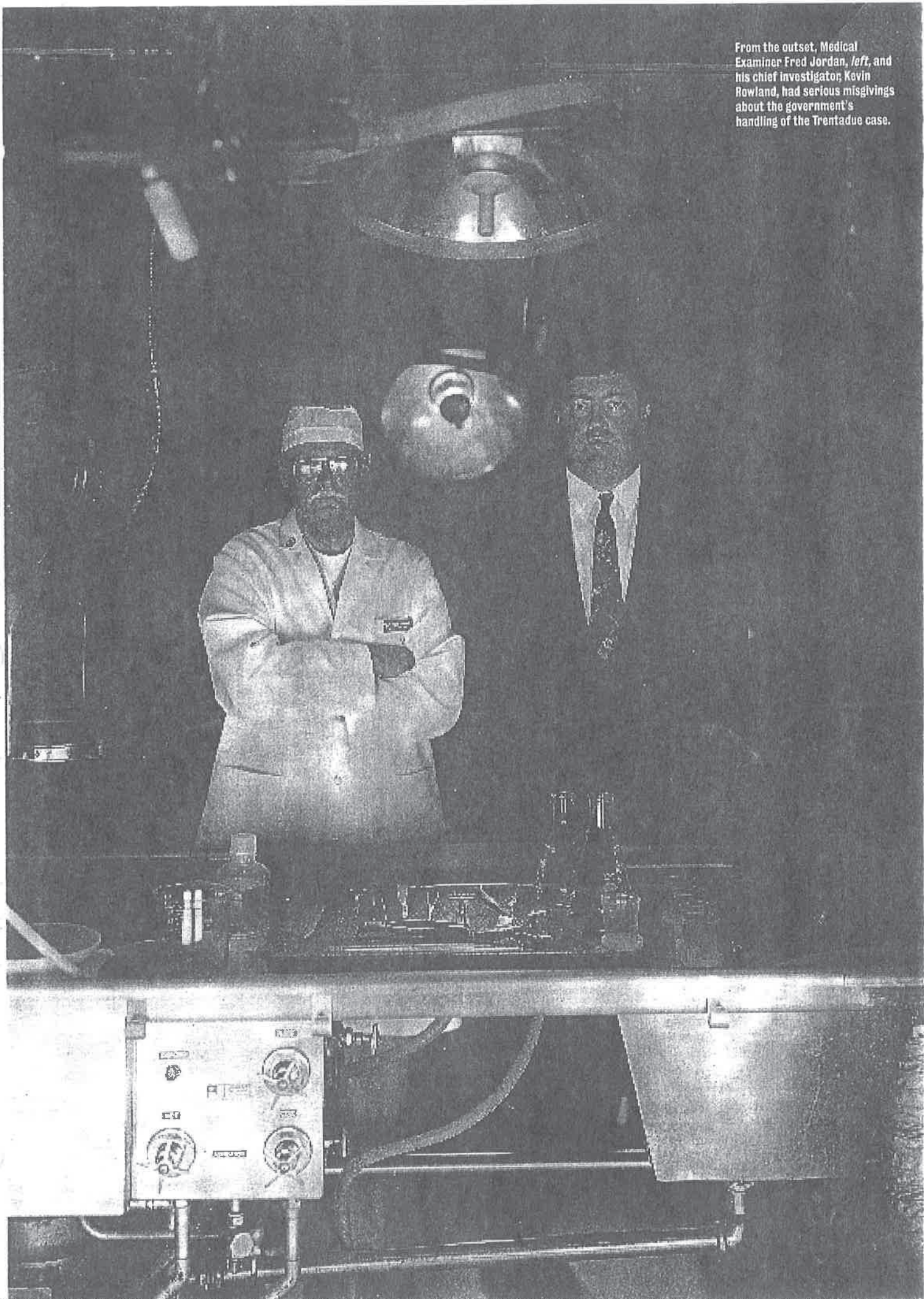
The first GQ story revealed that two days after arriving at the FTC Kenneth Trentadue was placed in solitary confinement. It was not the first time Trentadue had seen the inside of a cell. In his youth, he had robbed

**BY MARY A.
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PHOTOGRAPHS BY BILL PHELPS

From the outset, Medical Examiner Fred Jordan, *left*, and his chief investigator, Kevin Rowland, had serious misgivings about the government's handling of the Trentadue case.



banks and eventually served six years in a California prison. When he got out, he seemingly turned his life around. He married, found employment and began a family. During a routine traffic stop in 1995, Trentadue was arrested for an old parole violation. Two weeks later, while he was in custody, his wife gave birth to a son.

Two days after he arrived at the FTC, and only a few hours after being placed in solitary, Kenneth Trentadue was dead.

Steven Cole, an inmate orderly who cleaned Trentadue's cell the morning he died, told GQ of large pools of blood he found on the floor, under the bed and on the sheets, and streaks of blood around a panic button, where Trentadue had apparently tried, in vain, to summon help. Several inmates who spoke to GQ said they had been visited by FBI and BOP officials after the article appeared and told to keep quiet. The magazine itself was banned from the prison. The article had a better reception outside Oklahoma: It became a finalist for the 1997 National Magazine Award for reporting. GQ has continued to follow the story. Now, more than a year later, there has been a much anticipated development. On October 9, a federal grand jury in Oklahoma City, directed by Washington, D.C.-based prosecutors, found no evidence of foul play. The case is far from over, however. The state of Oklahoma has taken over the investigation, and it appears that indictments against several individuals will be forthcoming. A civil suit is also in the works, and as this article was being completed, an anonymous source from the FTC mailed a set of graphic photos that may prove to be the smoking gun in the case.

The second part of the story is, in many ways, more disturbing than the first. What began as a tragedy for those close to Kenneth Trentadue is now, two years after his death, overshadowed by a larger story of bungling or worse within the Department of Justice, which oversees the FBI and the BOP. Throughout her investigation of this story, Fischer made repeated attempts to speak with officials from the Federal Transfer Center, the Bureau of Prisons, the FBI and the Department of Justice. None would comment.

Despite the medical examiner's directive to treat the case like a murder, the BOP and the FBI acted as if it had been a clear-cut suicide.

The cover-up began the morning Kenneth Trentadue died. At 5:20 A.M., Tammi Gillis, one of the Oklahoma City medical examiner's investigators, received a call from Captain Ron Sheffer at the Federal Transfer Center, who told her that an inmate had committed suicide. When Gillis arrived at the prison, she met acting warden Marie Carter in the infirmary to view Trentadue's body. The warden, Thomas Kindt, was on vacation, leaving Carter to deal with the first death to occur at the Department of Justice's new, \$80 million facility. It was a state-of-the-art institution, located on the perimeter of the city's airport and designed to be escape- and suicideproof.

Trentadue's lifeless body lay on an infirmary gurney. Carter talked about his death being a suicide by hanging, an assessment that struck Gillis as premature, considering the condition of Trentadue's body. It was covered with bruises, cuts and dried blood, and the skull was cracked in three places. "Where did he get the cuts to his neck?" Gillis asked. "A razor," Carter replied. "They're up in his cell looking for it now." Gillis found that curious. Razors were not allowed in the maximum-security unit where Trentadue had died. Next Gillis asked to see the ligature used in the hanging. A guard brought her a twenty-three-inch braided bedsheet. Gillis demanded to see Trentadue's cell. As the medical examiner's representative, she had a right under state law and Bureau of Prisons policy to examine the death scene and collect evidence to support a subsequent investigation. But she was refused entry. "Carter told me I couldn't go into the cell," says Gillis. "She said it was still being cleaned."

Gillis went to the seventh-floor solitary-confinement unit but was only allowed to peer into cell 709A through a small window in the door. She saw a plastic butter knife and a toothpaste tube on the bed and blood splattered all over the walls and floor. It struck her as strange that a hanging would produce all that blood.

When Kevin Rowland, the medical examiner's outspoken chief investigator, heard Gillis had been denied access to the cell, he immediately called acting warden Carter. "This needs to be treated like a crime scene," Rowland remembers telling Carter. "She said, 'We do scene investigations ourselves.' 'No, this needs to be treated like a crime scene and investigated by the FBI. Are you going to call the FBI?' She said, 'No. We do our own investigations.'" Rowland's next question proved crucial. Did any inmates have access to Trentadue in that unit? Her answer: no.

Rowland learned something else that aroused his suspicions. Kenneth Freeman, the FTC officer in charge of special investigations, told Rowland that the prison's video camera used to document death scenes had not worked on that morning. The battery was dead, Freeman said. Rowland found "it even harder to believe" what Freeman told him next. A second battery had been tried, but it was also dead.

The only official record of the scene was some color photographs that Freeman had taken, but when Rowland finally saw them four months later, he sensed they didn't make a complete set. None of them showed the entire cell, and the photos of Trentadue's injuries were limited to his head and neck. There were, for example, no photos of the bruises on the soles of his feet or those on his chest and the back and knuckles of his right hand.

By 8:30 that morning, Trentadue's body had been transported to the medical examiner's office. When Rowland saw the body, he called the FBI himself. "You should treat this like a homicide," he told Special Agent Jeff Jenkins. Two hours later, Fred Jordan, Oklahoma's chief medical examiner, had completed the autopsy. In his twenty-six years as the state's pathologist, Jordan had examined thousands of dead bodies and been involved in the high-profile cases of Karen Silkwood and the 168 Oklahoma City bombing victims. But he had never seen a suicide like this before. "There was so much trauma to the head and neck that couldn't be explained by suicide," Jordan says now. The multiple blunt-force injuries, for example, suggested Trentadue had been beaten by something hard, like a baton.

The ligature mark on Trentadue's neck was consistent with hanging, but Jordan surmised that something other than the bedsheet had killed Trentadue. "It is very possible he was knocked out first and then strung up *after* he was rendered unconscious. But I can't prove it, because the government prevented me from doing my job," he says. Jordan's theory helped explain another odd finding. Despite all the blood on the body and the bedsheets, there was no trace of blood on the vent from which BOP officials said Trentadue had hanged himself.

Back in August 1995, Jordan and Rowland weren't talking to anyone outside their office, not to the Trentadue family and certainly not to the press. For the time being, they kept quiet about their hunches and assumed the FBI would do its job and investigate the incident. Although Jordan believed Trentadue had probably been murdered, he was unable to put anything more definitive than "undetermined" for the manner of death

in his autopsy report because his staff had been prevented from completing its investigation when the FTC staff sanitized Trentadue's cell. From that day forward, despite Jordan's opinions and Rowland's directives to treat the incident like a homicide, the BOP—and later the FBI—proceeded as if the death had been a clear-cut case of suicide.

At 8:45 on the morning of August 21, before Jordan had completed the autopsy, Marie Carter telephoned Wilma Trentadue. "I'm sorry to tell you this," Carter said to Kenneth's mother, "but your son is dead. He committed suicide." Stunned and confused, Wilma Trentadue considered for a moment the prison's offer to cremate the body but said she



The Trentadue family: front, from left, Kenneth's widow, Carmen, holding their son, Vito Miguel; Kenneth's mother, Wilma; his sister, Donna; rear, from left, his brothers, Lee and Jesse.

couldn't give that permission until she talked to Kenneth's wife, Carmen Aguilar, and his older brother, Jesse. "He'll know what to do," Wilma told Carter. "He's a lawyer."

Jesse Trentadue called Carter immediately. The prison was not to cremate Kenneth's body, he instructed; the family wanted the body shipped home. During that conversation, as reported in the first GQ article, Carter, perhaps unwittingly,

gave important clues. She told Jesse his brother was “unharméd” when he went into the segregated unit, and more important, she reiterated what she had told Rowland: The only people who’d had access to him in that unit were guards.

Five days later, Kenneth’s body arrived in a coffin at a funeral home in Westminster, California. Although pained by what they saw, the Trentadue family meticulously photographed the battered body, convinced the explicit photos would prove their judgment that he had been murdered. Jesse began disseminating the photos to the media and various federal officials. On August 29, he flew to Oklahoma City and hand delivered a set to FBI agent Jeff Jenkins. The following day, he went to Dallas and dropped off a set at the office of BOP regional counsel Michael Hood. He sent sets by Federal

eral prisons in his area. He had visited the FTC on August 22, the day after Trentadue’s death, and essentially took charge of the investigation. The apparent conflict of interest—the BOP was being allowed to investigate itself—didn’t seem to concern anyone in the Justice Department.

On September 1, despite having seen the disturbing photos, Hood and a number of other federal officials approved a press release that would prove to be the only public comment on the death to be issued by the FTC. The press release stated that Trentadue’s death “has been tentatively ruled as suicide by asphyxiation.” It went on to say that the “cuts and abrasions” on his body were “self-inflicted.”

When he saw the press release, Rowland was furious. “They must think we’re idiots,” he thought. He called Hood in Dallas. “I told him it wasn’t his right to decide the manner of death and that there was no indication it was a suicide.”

At this point in the story, a cover-up that began in Oklahoma appears to have spread to Washington, D.C. At the very time the FBI should have been investigating the incident, FTC staff, Washington’s acting BOP public-information officer Dan Dunne and other Justice Department officials involved in approving the press release had declared the death a suicide without waiting for the medical examiner’s report. Yet a psychological reconstruction (a detailed investigation into an inmate’s suicide, mandated by BOP regulations) was not conducted after Trentadue’s death. This revelation came from the BOP itself in a June 1996 letter to Jesse Trentadue from Scott Bomson, the BOP’s deputy regional counsel in Dallas at the time. (He has since been transferred to BOP headquarters in Washington.) The only person who has authority to alter that investigative requirement, BOP policy statements show, is the regional director—who, at the time of the incident, was Charles Turnbo, who has since retired. Jordan and Rowland had assumed the FBI was investigating the case, but today they know otherwise. The bureau did not begin to interview witnesses, including FTC guards, until December, four months after the incident, and only then after mounting pressure from the public and the Trentadue family.

The failure of the FBI to lead the investigation violated a 1994 memo of understanding between BOP director Kathleen Hawk and FBI director Louis Freeh that said the FBI, not the BOP, would investigate possibly criminal acts in federal prisons. “This thing was bungled from the beginning,” says Senator Orrin Hatch of Utah, chairman of the Senate Judiciary Committee, which oversees the FBI and the BOP. “The FBI had the obligation to investigate this. But I think somebody at Justice assigned this case to the BOP.”

The policy breach might be explained by something GQ learned a year ago. There had been violent guard-on-inmate



Express to BOP director Kathleen Hawk, BOP assistant director Wallace Cheney and Attorney General Janet Reno.

“Anyone who saw those photos would have to conclude that Kenneth Trentadue’s death was not simply a suicide by hanging,” Jordan says. “There is so much violence associated with his death that it leaves many, many questions.”

By the time Michael Hood saw the photos, he already knew about the incident. As the BOP’s legal representative, he was responsible for overseeing everything that happened in fed-

incidents at the FTC before Trentadue's death and, increasingly, at other federal prisons around the country. But attention to these incidents had always been contained by the BOP and received little independent investigation or press coverage. Most inmates don't have the means, the family support or the stamina to mount a case against agents of the federal government, and their complaints usually drift away.

In the weeks following August 21, it appeared that the Trentadue story would also be contained. But officials with the BOP ran up against something they had not reckoned on—this dead inmate had a family that would insist on justice. “Suddenly, the whole thing snowballed, and there was more at stake than a few unruly guards,” Rowland speculates. “They feared the whole federal prison system would be put under scrutiny.”

Unbeknownst to the Trentadue family and almost everyone else, the FBI had botched the investigation from the outset. Two weeks after the incident, Rowland received a call from the FBI's Jeff Jenkins, who was distraught. “What do I do?” Rowland recalls Jenkins asking. “My car smells like a decomposed body.” It seems the agent had put Trentadue's bloody sheets and clothing in the trunk of his car two weeks earlier to take to the lab for DNA analysis and then forgot about them. “How could you be so stupid?” Rowland groaned. “You've destroyed evidence.”

It was a crucial loss, the evidentiary value of the items ruined by time and the hot September temperatures. Since the evidence in Trentadue's cell had been destroyed when FTC personnel cleaned it, Trentadue's prison clothing and sheets were the only evidence remaining that might have shown blood samples belonging to attackers. The FBI, when it officially began its investigation in December, replaced Jenkins with Special Agent Tom Linn.

Some evidence of a brutal struggle did surface four months after the incident. In December, as I previously reported, the Oklahoma state medical examiner's office was finally allowed into Trentadue's cell, and Jordan and Rowland made the inspection. They applied a blood-detecting substance called Luminol to the floor and walls, and even seventeen weeks after the incident, the cell, said Jordan, “lit up like a Christmas tree.” On their way out of the special housing unit, they heard a guard mutter, “I don't care who they are. They can stick it up their fucking ass. This is our turf.” But the real antagonism between Jordan and the Feds was yet to come.

In May 1996, I stumbled on another important evidentiary discovery when I interviewed the former warden of the Federal Transfer Center, Thomas Kindt, at his home in College Station, Texas. Kindt, who at the time of the death had been on vacation, preparing for his retirement to Texas two weeks later, told me that a large stack of color photos existed of Trentadue's body and the cell, though he had not seen them.

This conflicted with what Kenneth Freeman, the FTC officer in charge of the prison's investigation, had told—and later shown—Rowland. “We've never seen evidence of that kind of volume,” Rowland says. “If what Kindt says is true, it's obvious the FTC only gave us what they wanted us to have.”

Meanwhile, back in Oklahoma City, the FBI, led by Agent Linn, continued its investigation. Several people interviewed by the FBI say the interrogations seemed designed to build a case for suicide, rather than serve as an open-ended inquiry. In December 1996, when FBI agents fanned out in Trentadue's old neighborhood in Southern California, various relatives and neighbors interviewed by the agents say they were asked questions such as *Isn't it true that Kenneth drank heavily and that he and his wife were having trouble?* “It was a total lie,” says Carmen Aguilar, Trentadue's widow. “Nothing could have been more wrong. We had waited a long time to be together, and we were very happy.”

The BOP's Michael Hood offered another theory. Rowland recalls Hood suggested to him that Trentadue killed himself because he had AIDS, a notion that Jordan, who had performed the autopsy, knew to be false.

Over the months, Linn periodically visited Jordan and Rowland and brought documents from his investigation that, Rowland believes, were intended to persuade them that the death was a suicide. In March 1996, Linn brought Jordan a copy of his notes from an interview he had con-

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ducted with Cornell Thornton, an inmate who had occupied the cell next to Trentadue's. According to Linn's notes, Thornton said that Trentadue was shouting and jumping on and off the sink, and that he saw him hanging from a vent in his cell. It was a persuasive document, but Linn's account of the interview was categorically denied by Thornton when I talked to him last year: “I never said those things. Kenneth Trentadue was not behaving strangely.”

Other misinformation was emanating from the federal bu-

reaucracy in Washington. As early as October 12, 1995, BOP director Kathleen Hawk wrote to Jesse Trentadue that her bureau was "cooperating fully with...the Medical Examiner's Office in Oklahoma City." Jesse wrote back and called her letter "horseshit." Hawk had also assured Jesse that he could contact BOP regional counsel Michael Hood with his questions, but by late September Hood had stopped returning Jesse's calls and answering his letters.

Wallace Cheney, the BOP's second-in-command, distorted the facts even more. In April 1996, he responded to an inquiry about the case from Senator Dianne Feinstein of California. Cheney assured Feinstein that on the morning of Trentadue's death, "a representative of the Oklahoma Medical Examiner's Office came to the institution, viewed Kenneth Michael Trentadue and examined the cell. The cell

A Justice official called Hatch's office. "What will it take for this case to go away?" he asked. The reply came swiftly. "People in jail."

had not been disturbed except for the removal of the body."

Cheney's statements were "a lie," says Jordan, whose staff was refused entry to the cell. "They were trying to put out grass fires within the bureaucracy." Remarks like Cheney's served to stall the investigation and hold congressional inquiries at bay. After receiving Cheney's letter, Feinstein declined to intervene on behalf of the Trentadue family.

Rather than collapsing when faced with each new obstacle, Jesse Trentadue was emboldened. He sent Cheney a Western-style belt with the name WALLY embossed on it, so "you will have no trouble remembering who you are when you finally pull your head out of your ass." Cheney returned the belt with a short note saying he was not allowed to accept gifts. Jesse sent the belt to Janet Reno and asked her to give it to Cheney. The belt was never returned.

On another front, Jesse filed about twenty Freedom of Information requests with the BOP and the FBI, hoping to discover, among other things, the names of the guards who were on duty in the special housing unit the night his brother died.

All his requests for substantive documents were denied. The BOP did send him a partial list of BOP employees on duty August 20 and 21, but conspicuously absent were the names of any special-housing-unit guards. After the first GQ article appeared, however, a number of sources from inside the prison contacted Jesse and GQ, and furnished the names of two guards—Rodney De Champlain and Bryan Donnelly—who purportedly knew something about the incident.

Prior to testifying before the federal grand jury in May, inmate Herb Brandenburg, in an interview with an attorney, said that Donnelly came to work the day after Trentadue died "with a tape or Band-Aid on his nose." The BOP list shows that Donnelly was on duty the night Trentadue died.

De Champlain, according to the list, left work at 4 P.M. on August 20, roughly eleven hours before Trentadue died. An

inmate who asked that his last name not be used but whose first and middle names are Nick Anthony provided a different account in court documents. Nick Anthony, who arrived at the FTC a few weeks after Trentadue died, states in his affidavit that De Champlain "admitted to having killed an inmate named Kenneth Michael Trentadue. De Champlain said that he and his friends could also kill me anytime they wanted. De Champlain specifically told me that 'no one would be able to do shit about it or even care what happened to a piece-of-shit convict like you'; that 'one day, you will just be found swinging from a bedsheet.'"

De Champlain, GQ has learned, was notorious with at least some inmates at the FTC. "It's safe to assume he is no Boy Scout," says a public defender handling a defendant's case involving De Champlain and an inmate at Federal Correctional Institution Fort Dix, in New Jersey, where

De Champlain transferred some time after the Trentadue incident. The inmate is charged with assaulting De Champlain and another guard last February, but the defense claims that the one guard actually assaulted the inmate (who was late for kitchen duty) while De Champlain watched. In preparing for the trial, which began in late October, the public defender had interviewed and planned to call five inmate witnesses from Fort Dix and the FTC, including Nick Anthony, to establish De Champlain's alleged pattern of abuse. The complaints include allegations of beatings, hitting the testicles of an inmate, spitting in inmates' food and throwing feces in their cells. "The allegations are scurrilous," says Peter Till, the lawyer representing De Champlain in the Trentadue family's civil suit. (De Champlain, GQ has learned, has left the federal prison system entirely. He is now a detention-enforcement officer with the Immigration and Naturalization Service.)

Donnelly still works at the FTC. Three weeks after Trentadue died, he was allegedly involved in an attack on Cuban inmate Juan Richard-Gonzales. In a letter to me, Richard-Gonzales said he was beaten by four guards who stomped on his

head and broke his neck. (The medical and administrative reports Richard-Gonzales sent corroborate his neck fracture and identify Donnelly as allegedly being involved in the incident.)

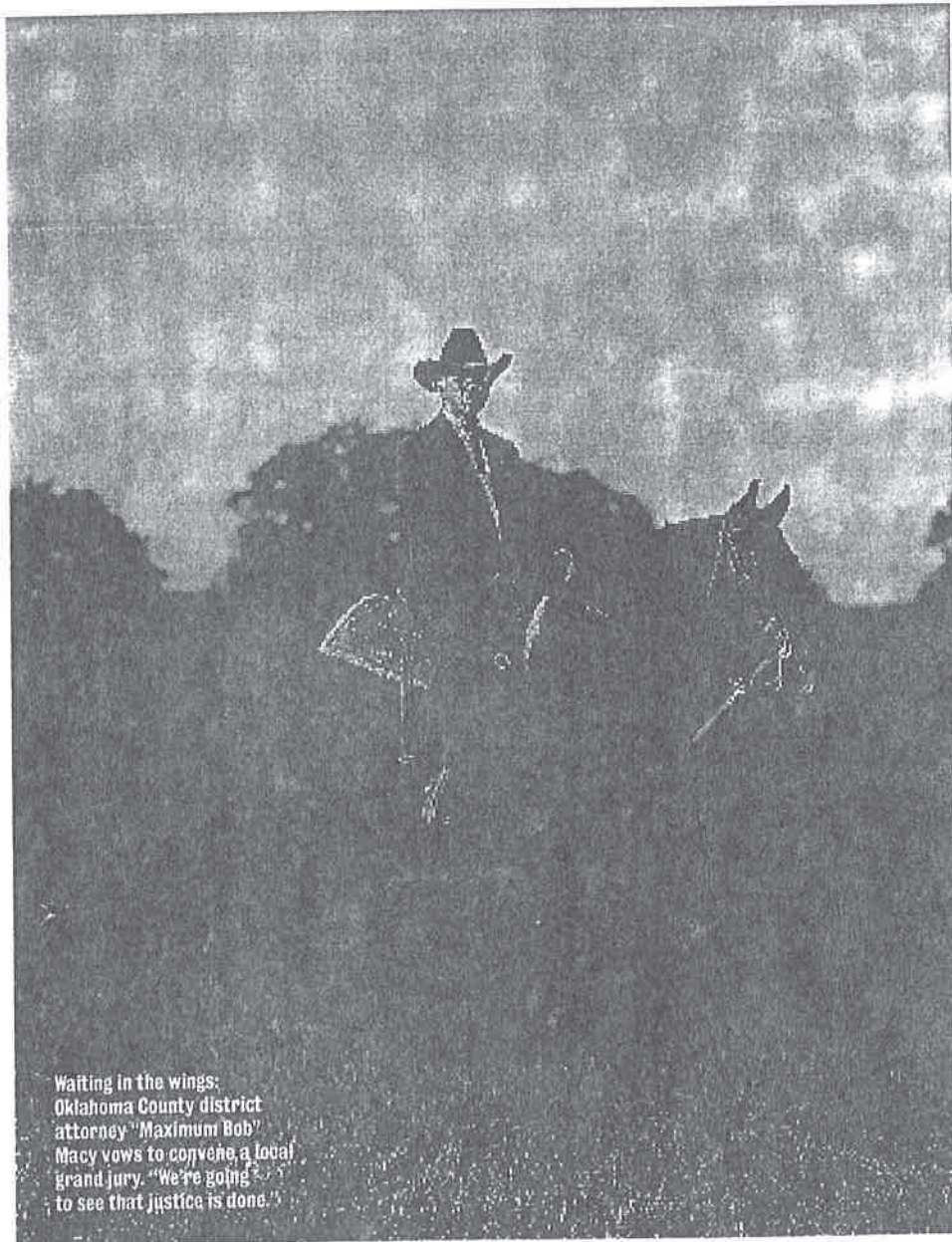
Curtis Rice, a former FTC inmate, provided new details to the federal grand jury about the morning of August 21. Rice said he saw cell 709A blocked off with crime-scene tape and a BOP investigation under way. He also saw a metal-wire laundry cart full of bloody SORT (special riot team) uniforms. Following Trentadue's death, Rice said, several guards in the special housing unit, De Champlain among them, were transferred. Acting warden Carter was also transferred and now works at Federal Correctional Institution Estill, in South Carolina. It is a common BOP procedure to transfer inmates and prison personnel as a means of punishment or to defuse problems. Inmates call it "diesel therapy," moving people around the vast federal prison system so that they will be hard to locate.

Former inmate George Wade Jr. served six months at the FTC for interstate theft. When he got out, he contacted Jesse Trentadue about what he had seen on the morning of August 21. Wade says he happened to be in the laundry room when two members of the SORT team brought in their bloody gear, which included flak jackets, helmets, batons and gloves. Wade heard one of the guards say to the laundry-room supervisors, "Get these cleaned up, and don't say a damned word about it." Wade doesn't know the names of the guards, but he identified the supervisors as BOP employees Albert Musser and Thomas Pitts, and he said that one and possibly both had witnessed the same scene. (Musser and Pitts are listed as being on duty that morning, according to the FTC employee log.) I went to the homes of both men for comment, but Musser was never in when I went and Pitts declined to talk to me.

Since he stepped forward, Wade says, he has been harassed by the FBI—by Agent Linn in particular—and threatened with reincarceration for perjury. He is certain he has been under surveillance. On several days, when he looked outside, he says, he saw two men sitting in a nondescript car outside his house. One of them was holding a camera.

In early October, the reincarceration threats became real. Wade was arrested and sent back to jail in Arkansas for vio-

lation of his parole. Two months earlier, Wade had traveled from Arkansas to share his laundry-room account with investigators in the Oklahoma County district attorney's office and with a local TV reporter. Apparently, someone at the FTC saw the newscast and notified Wade's parole officer in



Waiting in the wings:
Oklahoma County district
attorney 'Maximum Bob'
Macy vows to convene a local
grand jury. "We're going
to see that justice is done."

Arkansas. Wade was rearrested in early October for crossing state lines without permission. He has since been released.

What appeared to be the first breakthrough for the Trentadues came on October 15, 1996. Responding to pressure from the media and the Trentadue family, Justice Department officials convened a federal grand jury in Oklahoma City to look into Kenneth Trentadue's death. For a time, there was hope of an objective inquiry and a fair resolution. Two federal prosecutors from the U.S. attorney's office for the Western District of Oklahoma were assigned to lead the grand jury. The office, (continued on page 280)

headed by U.S. attorney Patrick Ryan, part of the team that prosecuted Oklahoma City bomber Timothy McVeigh, is responsible for handling federal crimes committed in its district and had been involved in the Trentadue case since March 1996.

Almost immediately, curious things began to happen. For reasons still unknown, the locally based prosecutors were replaced by two prosecutors out of the Civil Rights Division in Washington. "I can tell you this," says Rowland. "Patrick Ryan is not a happy man." Ryan declined to comment.

A number of law-enforcement officials in Oklahoma say that much of the time, the federal grand jury appeared to be less than zealous. It met only occasionally, no more than a few hours each month. It was a sign that the Department of Justice wasn't taking the Trentadue matter seriously or, says Jesse Trentadue, that "they wanted to drag it out, hoping it would blow over and we'd go away. But we never will."

Six months after the proceedings began, many of the most important witnesses—the paramedics who had been summoned by FTC infirmary staff but who were turned away upon arrival, Kevin Rowland, the inmate orderlies who had cleaned the cell, even Jesse Trentadue—had not been subpoenaed to testify. (By last June, all of them had testified.)

The experience of Philip Paz, an Oklahoma City policeman who, like the paramedics, was turned away from the prison, exemplifies a recurring complaint about this grand jury. I met Paz last August. At 5 A.M. on August 21, 1995, he said, he received a call that "a suicide attempt was in progress." When he arrived at the FTC, a guard called inside the prison and came back with word that "they didn't need me anymore. I was told that the body had already been transported to the hospital." He thought it was strange, Paz said, but didn't think much more about the incident until he read about the ongoing controversy a year later in a local newspaper.

Paz was called to testify in May. The day before he went on the witness stand, lead prosecutor Kevin Forder in-

terviewed him. "He asked if I thought it was a suicide, and I said no," says Paz. In front of the jurors the next day, however, Forder never asked Paz that question. Paz's conclusion? "I think they ask questions to fit their own agenda."

A few months after the grand jury was under way, the FBI's Linn went back to Jordan's office, apparently with the hope of persuading the medical examiner to change his mind about the manner of death. This time the agent wanted Jordan to review a set of privileged, highly secret documents Linn had in his car. "If you look them over," Jordan recalls Linn saying, "I think you'll see the way things are going. I think you'll see it was a suicide after all." Jordan was shocked when he learned what the documents were—transcripts of grand-jury witness testimony. As Jordan knew, without a court order, it is illegal to disclose any information from a grand jury, which operates in strict secrecy. The incident was made more baffling by what had happened the previous week. Upon hearing from Linn that he wanted to drop off the transcripts, Jordan had his attorney notify Forder "absolutely not to bring the transcripts," Kevin Rowland recalls. "They agreed not to, and then a week later Linn showed up with them, saying he was following Justice Department orders."

Jordan remained quiet about what he knew. It was still not the right time to go public about the Trentadue case. He was in the middle of the Oklahoma City bombing case and was scheduled to be a key government witness in Timothy McVeigh's trial. Also, Jordan wasn't sure if he, as a state government official, even had the authority to speak out. By early 1996, it still wasn't clear if the federal government—or the state of Oklahoma—had the jurisdiction to investigate Trentadue's death. Until that was resolved, Jordan would lie low.

Then, in May 1997, after Jordan had testified, there was another strange incident that seemed to him to signal that federal prosecutors were intent on bolstering the BOP's suicide theory. Federal prosecutor Sheryl Robinson telephoned Colonel William T. Gormley, a U.S. Armed Forces' pathologist,

at his Rockville, Maryland, office. Robinson wanted Gormley, a respected government expert, to come to Oklahoma City and testify. It wasn't the first time Gormley had been contacted by the prosecutors running the grand jury. Four months earlier, prosecutor Forder, the FBI's Linn and an unidentified BOP representative had met with Gormley and his staff and asked them to review Jordan's autopsy findings.

By January, when the meeting took place, Jordan had already testified before the grand jury, but for reasons Gormley will not speculate on, "they were not satisfied with the local medical examiner's findings," he says. Rowland speculates that the FBI and the federal prosecutors "were after another finding." In that regard, the prosecutors apparently wanted Gormley to be a rebuttal witness (to refute Jordan's findings or disparage his methods), which is a common adversarial strategy employed by defense lawyers in courtroom trials but out of place in a grand-jury proceeding.

Gormley couldn't help the prosecutors, however. He reviewed Jordan's report and was in essential agreement with it. Four months later, however, Robinson contacted Gormley and asked him to come to Oklahoma City to testify. This encounter with Robinson apparently so disturbed Gormley that he telephoned Jordan's office. Rowland took the call. "He expressed his concerns and bewilderment and wanted to find out what the Justice Department was up to on this case," Rowland recalls. "He didn't understand why Sheryl Robinson seemed focused on it possibly being a suicide."

"For him to call Dr. Jordan's office, the exchange must have flabbergasted him," says Mike Hubbard, a former Senate Judiciary Committee investigator. "I think Gormley was left with the impression that they wanted him to testify that it could have been a suicide. This federal grand jury has been a conscious waste. We've been duped. They're doing damage control now. But they're getting boxed in. This case has a healthy mix of malfeasance and obstruction of justice."

When Gormley refused to change his opinion, Linn found someone else—a

Texas Ranger, who is not a pathologist—who would testify in the desired manner. Linn wanted Jordan to meet with the ranger when he came to Oklahoma City, but the recalcitrant pathologist refused. When Jordan heard what the ranger was expected to testify to—that he had seen a lot of suicides that looked like Trentadue's—Jordan quipped, "He's obviously missed a lot of homicides."

A few weeks later, Jordan broke his silence. On July 1, an Oklahoma law went into effect that gave the federal and state governments concurrent jurisdiction to handle all death investigations at the FTC. Two days later, Jordan went on local TV newscasts and said, for the first time, what he had believed all along—that Kenneth Trentadue "very likely" had been murdered.

The Justice Department reacted swiftly. Within a week, the whole city knew the outcome of Jordan's actions: FBI MUFFLES MEDICAL EXAMINER IN DEATH, the headline in the *Daily Oklahoman* read.

After Jordan appeared on television, two FBI agents went to his office. One of them was Linn. "In a highly irregular fashion," Jordan says, "they presented me with a subpoena to produce documents that they should have already had." Linn insisted that Jordan go to court and deliver the records himself. "My attorney advised me to have nothing more to do with it," says Jordan. "I took it as a threat by the government. It was an attempt to show their authority by trying to intimidate me. Well, I won't be quiet. I'm so angry at the government."

A standoff between Janet Reno and Orrin Hatch was inevitable. Privately, Hatch, the chairman of the Senate Judiciary Committee, which oversees the Justice Department, didn't think Reno was doing a good job as attorney general. Under her watch, three of the biggest government debacles—Waco, Ruby Ridge and the FBI-lab scandal—had occurred, and the public's mistrust of the federal justice system was deepening. Hatch and other members of the committee were increasingly concerned about the antigovernment

mood in the country.

Over the months, Hatch had received inquiries from other members of Congress about the Trentadue case. It helped that Jesse Trentadue lived in Salt Lake City and was therefore a Hatch constituent. Behind the scenes, Jordan and Rowland relayed details to Mike Hubbard, who was Hatch's eyes and ears, about the way the Feds were handling the case.

Hatch took action on December 13, 1996. He wrote to Reno and asked her to appear before the committee for a briefing on the Trentadue case. Months passed, but Reno did not reply. "It was very unusual for past attorneys general not to respond promptly to the chairman of the Judiciary Committee," Hatch told me. "But it's not unusual for this attorney general. Now, there is something wrong here."

Finally, on March 13, Hatch received a response, but it wasn't what he expected, and it wasn't from Reno. Rather, Andrew Fois, the assistant attorney general, responded that Reno could not talk about the case because it was the subject of a grand-jury investigation.

Hatch was furious. He would force Reno to respond somehow.

On April 30, he had his chance. Reno traveled across town to the Capitol to go before the committee to brief its members on a number of pending matters. Despite the senator's month-old unanswered request, the Trentadue case was not on the agenda. The group discussed several matters, and then Hatch sprang it on her.

HATCH: Well, let me just ask you—just one special case. And the case I'm going to raise is Kenneth Trentadue. The circumstances of his death are, to say the least, suspicious. In addition, the Bureau of Prisons investigation seems to contain numerous flaws. I fear the Justice Department isn't taking this investigation seriously. Also, the BOP sought to cremate the body prior to shipment of the body to the family, and I've seen pictures of the body—it was extremely battered and bruised.

What's more, I've been told that the grand jury responsible for this case is meeting only once a month for two or three hours each time. And that plain

doesn't seem adequate to me under the circumstances.

RENO: I will review your concerns.

HATCH: Will you?... It's apparent to me that not only are these facts suspicious, it looks like somebody in the BOP or having relations with the BOP murdered the man.

RENO: I think it's important that I not comment on the facts. Just know that we will do everything we can to make sure the matter is vigorously pursued.

Hatch concluded by ordering Reno to get back to the committee with some answers in thirty days. In September, when we spoke, the senator had not "heard anything since. I've never experienced anything like this since I became chairman. The least you can say about this case is that the investigation has been terribly bungled. I hope people in the Justice Department are not trying to cover up the actions of some of these people, but it doesn't look good. I think there has been an effort to keep the facts from the Trentadue family."

A few days after the April briefing, a response came from Reno's office that no one had expected. An aide in Hatch's office took a call from a senior Justice Department official.

"What will it take for this case to go away?" the official asked.

The aide replied decisively, "People in prison."

The federal grand jury apparently didn't agree. On October 9, after an eleven-month probe, it reached a decision. "After a lengthy investigation, involving scores of interviews and volumes of documents," Isabelle Katz Pinzler, acting assistant attorney general for civil rights, said in a statement, "we concluded that the evidence does not support a federal prosecution."

The grand jury's decision not to indict anyone, although expected, infuriated many people. "I'm not surprised by the outcome," says an angry Rowland. "A grand jury goes in the direction a prosecutor takes it." What Hatch described last April as an inadequate investigation he now calls "shameless," and he says he will hold hearings by the end of this year to examine the case.

Far from feeling defeated, the Tren-

tadue family has found new reason for hope. In May they filed a wrongful-death civil rights suit against the federal government. The lawsuit names sixteen defendants. By now many of their names are familiar: Marie Carter, Michael Hood, Kathleen Hawk, Wallace Cheney, Kenneth Freeman, Rodney De Champlain, Bryan Donnelly and the FBI itself.

"No one has really challenged the Justice Department like this before," Mike Hubbard says. "They don't feel they owe us answers. But they are accountable. Some official at some level is trying to cover this up. I'd love to investigate this case. I'd look at the conduct of [FBI agent] Jeff Jenkins and the prosecutor [Sheryl Robinson] in terms of obstruction of justice. But the best hammer we have now is with the state. The more serious effort will come from Bob Macy."

Oklahoma County district attorney Bob Macy has earned his nickname, "Maximum Bob." He has put more people on death row—fifty-two—than any other prosecutor in U.S. history. Working with the city's police department, Macy has helped Oklahoma City achieve one of the highest solved-murder rates in the country—96 percent. Before he became district attorney seventeen years ago, Macy worked for the Indiana State Trooper. "He's a cop first and a politician second," Rowland says. "To him right is right, wrong is wrong, and he knows the difference."

Macy looks like Hollywood's idea of a western lawman. When I met him in August, he wore black suspenders, a silver bolo tie with black ribbon tails and a large silver belt buckle. Western shoot-'em-up drawings hung on the walls of his office and a pair of handcuffs rested on a bookshelf. A large poster from the movie *Tombstone*, starring Kurt Russell and Val Kilmer, dominated the wall directly behind his desk.

Macy still simmers over how FBI and Justice Department officials treated him—"like a second-class citizen," Rowland says—during the Oklahoma City bombing case. Federal officials took the case away from Macy and the city's police department. "This should have been a joint investigation," Macy

says. "We were fully prepared to take this on. But they were heavy-handed and said, 'We'll take care of it.'"

Macy will have his day in court. As soon as Terry Nichols's trial concludes in federal court, Macy's office will file first-degree murder charges against Nichols and Timothy McVeigh and try them in state court for the death of the 160 civilian victims. (In the federal trials, the defendants were tried only for the murder of the eight federal law-enforcement agents who died in the bombing.)

Macy is also going ahead with something virtually unprecedented in the Trentadue case. He will put key witnesses—the first being Jordan and Rowland—before a local county grand jury that will be headed by two prosecutors from Macy's office. This is the same strategy used by Boundary County prosecutors in the Ruby Ridge case. In that case, the Idaho prosecutors were apparently not satisfied with the federal grand-jury probe, which found no evidence to indict any of the FBI agents involved in the mountain shoot-out that left Randy Weaver's wife and son dead. Days after the federal grand jury's "no bill," local prosecutors indicted FBI sharpshooter Lon Horiuchi for manslaughter. The case is pending.

"We're going to see that justice is done," Macy told me. "The government needs to learn that when something is embarrassing, you don't try to hide it. You bring it out. It's the reason why we have the antigovernment movement in the United States."

The case is also moving forward on another front. Scott Adams, the Oklahoma City attorney handling the civil suit on behalf of the Trentadue family, predicts flatly, "We will know who killed Kenneth Trentadue by the end of this year." Although the federal government has not yet turned over the names of the guards who were on duty in the special housing unit the morning Trentadue died, Adams is unfazed. "They know who did this, but they won't tell us," he says. "This case against the government is like a vicious animal. I've never been involved in anything like this. They're trying to close us down. They're waiting to see if

we'll run out of money. But we'll never back down. They can run, but they can't hide. I'd mortgage my life to find out who killed Kenneth Trentadue."

Adams may not have to do anything so dramatic. One of the BOP investigators named in the civil suit has, through his lawyer, expressed to Adams an interest in cooperating. He would supply information about Trentadue's death in exchange for being dropped from the suit. The most significant break in the case, though, may well be the graphic photos of Kenneth Trentadue's bloody body and cell that were leaked to GQ in late October. They originated with an FTC source who writes:

I had hope the government would do the right thing and bring the guilty to justice. I have had these pictures for a long time because I did not want to risk being discovered. Please do not try to learn my identity. I need to keep my job. I hope these help you. There are more than these, but I couldn't get them.

The extent of Trentadue's upper-body injuries are shown in the photos, which this magazine deemed too graphic for publication. His head and neck are covered with wounds and blood. The photos undermine the plausibility of the BOP's claim that his wounds were self-inflicted and that he had hanged himself. The most damning photos, however, are those of the inside of the cell that show tied bedsheets loosely dangling from a blood-free vent in such a way that makes it virtually impossible for someone of Trentadue's size and weight to have hanged himself.

What can the Trentadue family expect after all this time? The tag line of the *Tombstone* movie poster that hangs in D.A. Bob Macy's office says it best: "Justice is coming." ●

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