
UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

Division for the Purpose of
Appointing Independent Counsels

Ethics in Government Act of 1978, As Amended

Division No. 94-1

*In re: Madison Guaranty
Savings & Loan Association*

MOTIONS OF PATRICK KNOWLTON:

- (1) FOR LEAVE TO AMEND COMMENTS AND FACTUAL INFORMATION INCLUDED IN THE APPENDIX TO THE OIC'S INTERIM REPORT ON THE DEATH OF VINCENT FOSTER;
- (2) UNSEAL COMMENTS AND FACTUAL INFORMATION PROPOSED TO BE AN APPENDIX TO THE OIC'S REPORT...

APPENDIX

E-X-H-I-B-I-T-S

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Sources of Exhibits:

- (1) S. Hrg. 103-889. HEARINGS RELATED TO MADISON GUARANTY S&L AND THE WHITEWATER DEVELOPMENT CORPORATION - WASHINGTON, DC PHASE, [Senate] Committee on Banking, Housing, and Urban Affairs United States Senate, ("*1994 Senate Whitewater*");
- (2) S. Hrg. 104-869. INVESTIGATION OF WHITEWATER DEVELOPMENT CORPORATION AND RELATED MATTERS, Special Committee to Investigate Whitewater Development Corporation and Related Matters, administered by the Committee on Banking, Housing and Urban Affairs United States Senate ("*1995 Senate Whitewater*");
- (3) H.R. 104-849. INVESTIGATION OF THE WHITE HOUSE TRAVEL OFFICE FIRINGS AND RELATED MATTERS, ("*1996 House Travel Office*");
- (4) Produced pursuant to Freedom of Information Act requests or lawsuits ("*FOIA*");
- (5) National Archives ("*Archives*");
- (6) REPORT OF THE [REGULATORY] INDEPENDENT COUNSEL IN RE VINCENT W. FOSTER, JR. Washington, DC, June 30, 1994 ("*Fiske Report*");
- (7) Summary Report by Representative William F. Clinger, Jr., August 12, 1994; and
- (8) *Exhibits not generated by the government.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 4/13/94

Webster Lee Hubbell appeared at the Office of the Independent Counsel, Washington, D.C. as scheduled at 2:00 p.m. for interview. Mr. Hubbell was advised of the identity of the interviewing agents and that the purpose of the interview was to discuss his personal knowledge of Vincent Foster, his weekend at the shore with the Vincent Fosters on the weekend just prior to Vincent Foster's death, and his knowledge regarding a meeting on July 21, 1993 with the U.S. Park Police concerning their investigation of Foster's death. In addition to the interview agents, Carl Stich, Assistant to Independent Counsel, Robert B. Fiske, Jr., also assisted with the interview. Also present during the interview was John Nieldes, attorney for Hubbell. Mr. Hubbell provided the following information:

Personal Knowledge of Vincent Foster:

He had known Vincent Foster for about 20 years, having worked with him at the Rose Law Firm in Little Rock, Arkansas. He explained that Foster started at this firm in January, 1971, and that he (Hubbell) started work there in May of 1973. He said that Foster was a graduate of the Arkansas Law School.

After coming to Washington, D.C. with the President in January, 1993, he said he spoke with Foster on a daily basis, at least concerning business matters. He advised that when Foster first came to Washington, he stayed with his (Foster's) sister, Sheila Anthony. Hubbell's wife came to Washington in March of 1993 and Foster's family joined him permanently in June of 1993. Foster's wife had rented temporary quarters in Washington in March or April, but continued to reside in Little Rock. The Foster children came to Washington in May or June of 1993.

Hubbell described his relationship with Foster as being "best friends."

The last time Hubbell saw Foster was the Monday before Foster died (7/19/93). He saw Foster in Foster's office and can't remember the business matter discussed, if any, but does

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Continuation of FD-302 of Webster Lee Hubbell, On 4/13&15/94, Page 2

remember discussing the previous weekend the Foster and Hubbell families had spent together.

Hubbell described Foster in the following terms: reserved; not loud, held everything inside; loved his children more than anything, very close to them; had no weaknesses; very smart; quiet; meticulous in his work; spent time gathering facts before drawing conclusions; frustrated with White House Travel Office issues - attention in the media, unhappy with the FBI and internal report on the Travel Office matter; someone who worked until 10:00 to 11:00 p.m. each night and also on Saturdays and Sundays; hadn't gotten away from his White House work. When asked if he had observed any noticeable behavioral or emotional changes in Vincent Foster prior to his death, Hubbell said that in hindsight, he realized that the no time off from work was wearing on us all. Hubbell described a "once a week" dinner or "Arkansas night" frequently attended by Foster. Others who would often join the group included Deb Coyle (phonetic), Bruce Lindsey, Marsha Scott, John Emerson, Sheila and Burl Anthony and other out-of-town friends. Hubbell said Foster was a great friend, but not the life of the party. He did not notice Foster acting differently in the days or weeks before his death.

Hubbell said that Foster would cope with problems in his life, both professionally and personally, by relaxing by the pool, reading and jogging, although he had done the latter less since coming to D.C. and was not able to relax by a pool at all. His reading included everything such as novels, history, newspapers, etc.

Hubbell said that he was not aware of any problems or difficulties Foster was experiencing prior to his death. He said Foster never talked about money concerns and had successfully rented his house in Little Rock and that this was not a concern for him. When asked if there may be any stress associated with working on Whitewater tax returns, Hubbell answered that he was not sure - Vince never mentioned this as a point of stress. He said Foster felt responsible for the Travel Office matter and didn't like the criticism being received on this issue.

When asked if Vincent Foster had an individual in his life in whom he could confide, Hubbell replied that Foster wasn't the type of person to say let's go for an hour or two and unload, but rather during five minute breaks in business discussions, he

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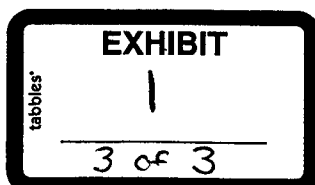
Continuation of FD-302 of Webster Lee Hubbell On 4/13&15/94 Page 3

would confide in Hubbell concerning matters on his mind. In addition to Hubbell, Hubbell believed Foster confided with his wife, Lisa, and his sister, Sheila Anthony, but he really wasn't someone to often do this.

Hubbell never remembered statements by Foster such as "I can't stand it anymore" or "I'd be better off dead" or other similar statements.

Hubbell answered no to all questions concerning any noticeable changes in Foster's personal appearance, physical ailments, headaches, loss of appetite or any kind of stomach trouble. He said, however, that both he and Foster had confided in each other about sleep difficulties Foster had said on occasion that he had been up all night or didn't sleep well the previous night or that he had awakened in the middle of the night. Hubbell said that Foster had lost approximately 10-15 pounds prior to his death. At the time, Hubbell associated Foster's weight loss with work and the fact that they were eating lunch at the desk or not eating regularly. He and Foster had discussed that the new administration had walked into an "empty office." They compared it to a law office where "the clients were ready and you have nothing." Newspaper accounts concerning the previous administration's removal of office items was termed by Hubbell as accurate.

Hubbell said that he was not aware that Foster was experiencing any type of stress. Foster never talked to Hubbell about missing the comfort zone of the Rose Law Firm where they had worked for more than 20 years. They just never talked about it one way or the other. Rather, Foster talked about being on this great adventure in Washington, D.C. Hubbell said he and Foster were very close to the President and First Lady and discussed with each other, prior to coming to Washington, that I'll go if you go. Hubbell believed that Foster thought that the option of going back to Little Rock or the Rose Law Firm would have been an acknowledgement of failure. This was during the time of the Travel Office situation. Hubbell said if you really want to understand Foster, to look at his recent speech at the University of Arkansas. He believed Foster wrote the speech after someone else had worked on it. Foster rewrote the speech himself on the plane.



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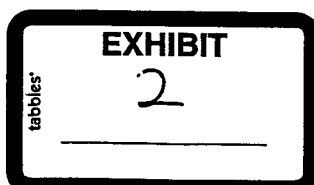
Continuation of FD-302 of Deborah L. Gorham, On 4/19+26/94, Page 2

She viewed him as reserved, not depressed or unhappy. He could enjoy a joke with others in the office, but was a very hard worker and would ask people to "keep it down" if their talking disturbed him. The only time he seemed to be more agitated than usual was when he was under time pressures. He had a very long fuse, so it was relatively rare for him to show agitation. The Friday before his death, as he was preparing to go away for the weekend, he needed a long distance beeper to take with him and he and GORHAM had a misunderstanding that he needed it right away. He showed agitation at that time, but did not lose his temper. Even with hindsight, GORHAM did not see anything in FOSTER's behavior which would indicate a distressed state of mind. She recalled BETSY POND and LINDA TRIPP saying to her that FOSTER did not seem to be concentrating the morning of his death.

GORHAM never saw him lose his temper. She saw him angry once, in response to the Wall Street Journal article, "Who is Vince Foster?" He did not seem to understand that that kind of thing would happen. You could see that the allegation, veiled or otherwise, that there was a cabal of Rose Law Firm people troubled him. He just wanted to stay in the shadows and do his work. An attack on his character was the most hurtful thing to him because his reputation was the most important thing to him next to his family. He also resented the fact that the article misquoted his office, saying that he refused to provide a photograph. What really happened was that GORHAM, on FOSTER's instructions, told the Wall Street Journal that he preferred not to provide a photograph. He had a conversation about it with FRANCIS SOBOL (phonetic) which GORHAM "tuned out", merely remembering that FOSTER sounded upset, though not overly emotional, about it.

GORHAM said that FOSTER demanded perfection of himself and others. And at times his ethical standards appeared to be higher than the staff in the office. For example, an individual went on vacation leaving his/her plant with FOSTER or the Counsel's office to care for while they were gone. FOSTER insisted that the plant be returned to them immediately upon their return, seriously brushing aside joking remarks that he should not be so quick to return the plant because it looked so good in his office. Also, all discussions with other Associate Counsels or DOJ personnel were conducted behind closed doors in his office so they would have the utmost privacy.

FOSTER worked very hard and very long hours. He was



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Continuation of FD-302 of BETH NOLAN, On 6/7/94, Page 3

nobody on The White House staff had adjusted to the kinds of work and criticism and frustration that they were experiencing in their jobs. She knew that FOSTER was upset about KENNEDY and the Travel Office matter but explained that, "We were all upset. It was a rough six months".

NOLAN seemed to recall that soon after July 4, 1993, NUSSBAUM went on vacation and she had a few more conversations about The White House Travel Office report with FOSTER than she might have otherwise had. She remembered that he was most upset about KENNEDY having been reprimanded. She said that when she heard that FOSTER had used the term "lied" his use of the word did not strike her as notable. With regard to the statement, "the FBI lied" NOLAN said that she assumed that it pertained to the Travel Office but she doesn't know that for a fact.

Asked to give her opinion of The White House Management report on the Travel Office matter, NOLAN said that she didn't know what the facts were and cannot remember the details. STICH read to her the portion of the OPR report on the Travel Office matter that pertained to her observations to the OPR investigators. She said that it was not inconsistent with her recollection although she doesn't have a specific memory of having said any of that except she does remember FOSTER's feeling that it would have been easier if he had been reprimanded also. NOLAN said that FOSTER was upset, but did not seem to be inordinately upset about the Travel Office or any other matter. She realizes with hindsight that he must have been upset about something. She does not consider herself a confidant or enough to have been privy to what was bothering him on a private level. She had normal contact with him and a good working relationship.

She last saw FOSTER in the Rose Garden ceremony celebrating LOUIS FREEH's appointment as Director of the FBI. Her observation of him at that time was that perhaps his mood had lifted a little in the last couple of days of his life and she bases that on some joking around that had occurred during the previous Friday staff meeting. She saw him Monday, July 19, 1993 for just a few minutes and he did not seem distracted and handled the exchange normally. She said that she did not recall anybody ever remarking about FOSTER holding up or not holding up, and she did not herself notice that there had been any weight loss.

With regard to the torn up note that was found in

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/12/94

TIMOTHY J. KEATING, Special Assistant to the President for Legislative Affairs, was interviewed in the Office of the Special Counsel, 1001 Pennsylvania Ave., NW. Mr. KEATING was advised as to the official identities of the interviewing agents and the nature of the interview. He then provided the following information:

He came to Washington, D.C. in 1985 to take a job with the House of Representatives. From 1985 to 1992, he held various staff positions within the House of Representatives and in December, 1992 was Assistant Manager of the House Democratic Cloak Room at the time of BILL CLINTON's election to the Presidency. Although he did not work on the BILL CLINTON Presidential Campaign, he had known HOWARD PASTER, who for a time was in charge of legislative affairs in the CLINTON White House. After BILL CLINTON's election, HOWARD PASTER asked him if he would come to work on the CLINTON Administration "Confirmation Team" during the period of transition from the BUSH Administration to the CLINTON Administration. He accepted and began working at The White House in December, 1992.

Mr. KEATING first met VINCENT FOSTER, JR. in late January, 1993 at a meeting of senior White House staffers. He described his relationship with Mr. FOSTER as being "professional" and he advised that he did not know FOSTER personally. He said that he dealt with FOSTER only on "a handful of matters" but that he saw FOSTER on almost a daily basis since they both had offices on the 2nd floor of The White House west wing. He described FOSTER as being "very professional and a strong individual". He said that he was "very shocked" to learn of FOSTER's death, not only because he admired and respected FOSTER but also because FOSTER seemed "so together and on top of his game". KEATING said that one "doesn't think of someone like that taking his own life". He added that he has no idea, nor can he offer speculation as to FOSTER's reasons for taking his life. He said that he last saw VINCENT FOSTER on July 19, 1993 on the 2nd floor of the White House west wing. He added, however, he believes this was a casual encounter although he can not recall

Investigation on 6/9/94 at Washington, D.C. File # 29D-LR-35063 SUB A
 by _____ Date dictated 6/9/94 OIC 000403

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/1/94

On May 17, 1994, JOHN PHILLIP CARROLL, Senior Law Partner, Rose Law Firm, Little Rock, Arkansas appeared at the offices of the FBI together with his attorney C. MICHAEL BUXTON of the law firm VINSON and ELKINS, the Willard Office Building, 1455 Pennsylvania Avenue, NW, Washington, D.C., telephone (202) 639-6571. After being advised of the identity of the interviewing agents and the nature and purpose of the interview, CARROLL provided the following information:

CARROLL advised that he had known VINCE FOSTER, JR. since FOSTER came to the firm approximately 20 years ago. He "bonded with him" and has been close to the family as well. He is the godfather of VINCENT, III, VINCE FOSTER, JR.'s son. Their homes are approximately 3 blocks apart from one another in Little Rock and he considers himself close to the whole family. CARROLL characterized FOSTER as "prince of the world". He noted that FOSTER had graduated from law school first in his class in 1970 or 1971, had been editor of the law review, and was a very, very, fine lawyer. He was smart and he wrote beautifully.

CARROLL said when FOSTER told him he was going to Washington, D.C., it came as a bolt of lightning for him. CARROLL simply was not expecting such a move. FOSTER had announced his candidacy for the Presidency of the Arkansas Bar Association and CARROLL was so disappointed that FOSTER was leaving the firm for Washington, D.C. that he actually commented that he wished former President Bush had won the election because then he wouldn't have lost FOSTER. But CARROLL said he understood that it was like being drafted and that FOSTER couldn't really refuse such an honor.

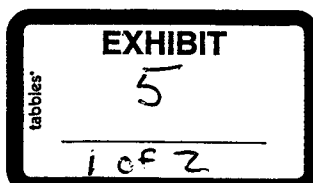
CARROLL advised that FOSTER's suicide is a complete mystery to him. The commencement address that FOSTER gave in May, 1993 seems to tell so much about FOSTER to people who will listen. FOSTER himself had prosecuted law suits representing insurance companies whose interest it was to prove that a decedent had committed suicide but he was not aware that FOSTER had any particular empathy for people who committed suicide or

Investigation on 5/17/94 at Little Rock, Arkansas File # 29D-LR-35067

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by _____ Date dictated 5/24/94

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Continuation of FD-302 of JOHN PHILLIP CARROLL , On 5/17/94 , Page 3

also possibly BILL WOODYARD (with the MITCHELL Law Firm in Little Rock); JERRY ATCHLEY (who owns a radio station and whose wife is a psychiatrist); WEBB HUBBELL; and BILL and HILLARY CLINTON.

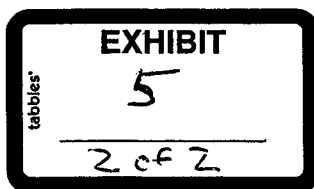
The only case that CARROLL was ever aware of that FOSTER was not able to handle well was a case involving a client who was extremely difficult. FOSTER eventually came to CARROLL and said that he simply could not deal with the client. Figuratively speaking, he threw up his hands and asked CARROLL to take it over for him and complete it. CARROLL did so.

FOSTER left Little Rock in January 1992 for the inauguration. CARROLL did not attend the inauguration ceremonies and he did not see VINCE FOSTER until May of 1992 when FOSTER returned to Little Rock for commencement ceremonies of his law school. At that time CARROLL did not observe any change in FOSTER's appearance or any change in his demeanor. CARROLL said that at the commencement ceremony at University of Arkansas Law School, FOSTER gave a splendid delivery with no stress showing during the speech.

Asked about anything he may have heard concerning FOSTER's state of mind, he advised that LISA told him, or perhaps he read it, that FOSTER had spent some time just sitting or lying in a darkened room. He knows no more than that. He advised that WEBB HUBBELL told him that the FOSTERS and the HUBBELLS had gone for a weekend away from Washington, D.C. just before FOSTER died and that they had all had a wonderful time. During that weekend, FOSTER himself seemed quite "chipper".

CARROLL observed that FOSTER never had a defeat. He had handled a case for HILLARY RODHAM CLINTON with regard to her health care task force that the Wall Street Journal was critical of. He also commented that BILL KENNEDY had gotten censured for the Travelgate matter. He read these things in the press and doesn't know anything about these things firsthand.

CARROLL is not aware of any history of suicide or depression in the FOSTER family. He commented that all the members of FOSTER's family are successful. It appears to be an ideal family. FOSTER's father was a successful real estate person and therefore a political force in Arkansas. FOSTER's sister is a successful attorney and his other sister who resides in Arkansas was a beauty queen. FOSTER had not seemed



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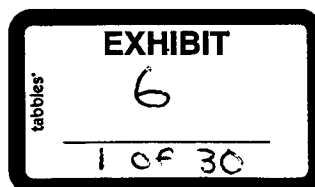
**DEPOSITION OF JOHN C. ROLLA
IN RE: S. RES. 229**

THURSDAY, JULY 21, 1994

**U.S. SENATE,
COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS,
Washington, DC.**

Deposition of JOHN C. ROLLA, called for examination pursuant to notice of deposition, at 10:20 a.m. in the Dirksen Senate Office Building, Room G-59, before WENDY S. CASWELL, a Notary Public within and for the District of Columbia, when were present:

GLENN F. IVEY, Esq.
Majority Counsel
ROMAN E. DARMER, III, Esq.
JULIE FALLON, Esq.
IRA PAULL, Esq.
PAUL GOLDENBERG, Esq.
Minority Counsel
Committee on Banking, Housing, and Urban Affairs
U.S. Senate
On behalf of the Committee.



1 Q Who was there when you got on the scene?

2 A I arrived on the scene. Christine Hodakievic was
3 there. She was off duty, on her way home, heard the call
4 and stopped there. Fornshil had already left. Sergeant
5 Bob Edwards, Officer Ferstle. I don't remember his first
6 name.

7 Q Officer, sergeant?

8 A Officer Ferstle. The EMT medical units were
9 pulling out when we pulled in, were already leaving.

10 Q Did you have a chance to talk with any of them?

11 A No.

12 Q When you got on the scene, who did you talk with
13 first? Or what did you do first?

14 A I believe we pulled into the parking lot and we
15 parked a couple spaces to the right of what turned out to
16 be Mr. Foster's car, a grayish Honda with Arkansas plates.
17 Officer Ferstle came to the parking lot, met us there, and
18 stated -- this is not all exact, this is from memory.
19 Basically he believed that a deceased up by the second
20 cannon in the park and that they believed that was his car
21 because the suit jacket on the front seat appeared to match
22 the trousers, suit trousers, that the decedent was wearing

10

1 and he didn't have a jacket or a tie on.

2 Q Do you know if they had gone in the car at that
3 point or were they just looking through the windows?

4 A Through the windows. Nobody went in the car.

5 Q What happened after you were told that?

6 A We just wrote the tag down, I think I called
7 communications on the car phone and ran the registration,
8 it came back to Vincent Foster in Little Rock, Arkansas.

9 Q Did the name mean anything to you at that point?

10 A No, no. I am not too politically savvy. It
11 didn't mean anything to me.

12 Q After you ran the tags --

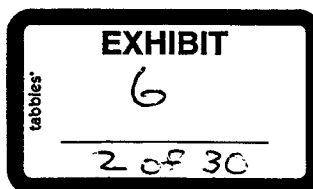
13 A It was actually -- so we, we figured Arkansas,
14 whatever. We went up -- there was a car with two people in
15 it, lovers, whatever, Cheryl Braun interviewed them.

16 Q B-r-a-u-n?

17 A Yes. There was a blue Mercedes mysterious blue
18 Mercedes that was parked down at the entrance to Fort Marcy
19 with the flashers on, we observed that.

20 Q Why do you say "mysterious"?

21 A Well, the newspaper accounts and everything. It
22 was not mysterious. It's not mysterious. I shouldn't joke



- 1 A No, no. A car wouldn't be able to get up there.
 2 Q Oh, you couldn't drive a car?
 3 A No.
 4 Q So after you got to the scene, did there come a
 5 point when you started looking at the body?
 6 A Yes.
 7 Q Who else was around the body when you got there?
 8 A Edwards and I guess it was Spatz. That's the
 9 other name that was there.
 10 Q Okay. Was Simonello there?
 11 A Simonello was there.
 12 Q What was Simonello doing?
 13 A He was getting ready to take pictures.
 14 Q What is his role as a Park Police offer?
 15 A We call him the Park Police evidence technician,
 16 that's what it is, evidence technician, photograph the
 17 crime scene, collect the evidence, make the diagram.
 18 Q Did he take photographs?
 19 A Yes, he did.
 20 Q Did you take photographs?
 21 A Yes, I did.
 22 Q Did you use a Polaroid camera?

- 1 A Yes. I used Polaroid. He used a 35 millimeter
 2 and apparently, for whatever reason, bad film or whatever,
 3 it came out too light or too dark.
 4 Q Those are his photographs?
 5 A Right.
 6 Q Did anybody else take photographs that you are
 7 aware of?
 8 A I think that Edwards, Sergeant Edwards took a
 9 couple of Polaroids, and I told him to give them to me, not
 10 having a collection -- you know, I didn't know who this guy
 11 was, nobody who this guy was, but we are not going to have
 12 a collection of dead body photographs, and I don't think
 13 that was their attempt, but a lot of times -- I just wanted
 14 to make sure I had everything, and there wasn't anything
 15 walking around out there.
 16 Q Did you use the same camera that he used?
 17 A No.
 18 Q When you first got to the body, what did you do?
 19 A Well, the body was on a steep embankment, just
 20 barely to the right of the front of the cannon, not
 21 directly, just barely off to the right of the cannon.
 22 From where you are standing you go up an



1 embankment to the top and go down an embankment. We are
2 lower actually than the body in heavy foliage. Unless you
3 get about -- right by the cannon, I would say, or within 5
4 or 6 feet of the cannon, and you are looking over there, it
5 would be very hard to see the body. Because when I got
6 over there, you could just see through the foliage, you
7 would have to be looking there purposefully and you could
8 see the top of the body. You could see gray hair. You
9 could see the head. I observed the scene, the crime scene,
10 noticing that there was -- that it was a grassy area, and
11 around the body, heavy foliage. There's not any drag
12 marks, tire marks, heavy trampling around the body before I
13 approached it, you know. As I got closer, no bushes
14 broken.

15 Q In any direction?

16 A In any direction.

17 Q About how far was the body from the cannon?

18 A I think the body from the cannon measured from --
19 I think he measured from the rear of the cannon. Simonello
20 measured, because the cannon can be moved but there's a
21 concrete anchor in the ground there that the tail of the
22 cannon, the back, is chained to, the hookup, whatever, you

1 hook it up to a truck, whatever. I believe it was about 20
2 feet.

3 Q Did you see a gun?

4 A Yes.

5 Q Where was the gun?

6 A When I approached the body, obviously there's one
7 path, we are not wanting to destroy the scene. I first
8 stood over the head, looking at the head, and I observed a
9 pool of blood under the man's head. Now, the man is on an
10 embankment. The top of his head is just about at the crest
11 of the embankment. Remember, it goes up, it's kind of like
12 this. You have got to go up. His head is about in this
13 area here, and just a slight -- at that point, there's a
14 slight downgrade.

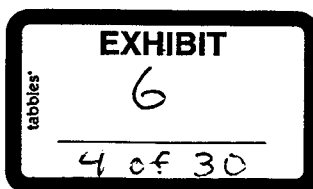
15 I observed a pool of blood under his head that
16 was wet and beginning to dry and clot, and it was directly
17 under his head. It was not all over the place, it was
18 directly under his head, running down this way.

19 Q "This way" being which way for her.

20 A Down the back -- I'm sorry, down the back side.

21 Q Would that be downhill?

22 A Downhill.



1 Q Okay.

2 A Which is where the rest of his body was.

3 Q So his head was uphill, feet were downhill?

4 A Right.

5 Q Okay.

6 A I noticed blood coming from the right nostril and
7 the right corner of his mouth down the side of his face.

8 It appeared to still be wet, but drying. Flies were
9 buzzing around his face, starting to -- no eggs were laid
10 yet, I think they were just making their way to do that.

11 There was blood on his shoulder, possibly like a
12 transfer stain.

13 Q What's a transfer stain?

14 A A transfer stain is -- blood wasn't initially in
15 one location or another. It was on his face -- or on his
16 shirt, not his face. One touched the other. But at this
17 point his face was up, straight up, when I saw him.

18 Q Did you see anybody move his head?

19 A No, as I said, the medics were leaving when I got
20 on the scene. When I got there, I was the only one near
21 the body. I am the only one that went to the body.

22 Q Had anybody told you that they moved the body or

18

1 moved the head at all?

2 A No. That would not be a bad thing, because this
3 was not an obviously long-dead person. But police officers
4 are always -- they know they are not supposed to touch
5 evidence, touch things. They are often afraid to say that
6 they have done something, and this would not -- if somebody
7 reached up there and checked his carotid and moved his head
8 or whatever, but, for some reason, someone is not saying
9 what happened there.

10 Q In your opinion, at some point, the right side of
11 his head touched with the right side of his shoulder?

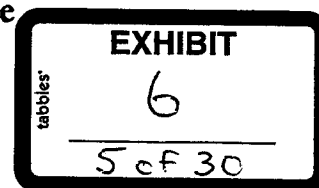
12 A Yes. I think it's pretty apparent.

13 Q Did you see an entrance wound or exit wound at
14 all?

15 A Yes. Let's go a little bit slower over here
16 then, so what I remember, I can say it better and you ask
17 the questions.

18 Q What did you do then?

19 A I observed very heavy thick foliage, trees,
20 branches around him also. This was almost like a very
21 steep embankment, it was dirt but no grass or anything on
22 it, but on the sides of it, and the bottom was broken tree

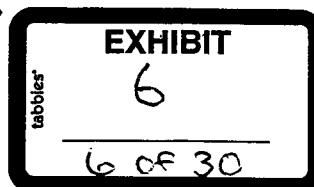


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- 1 Q Where were they?
 2 A They were about 13 feet down the hill at the
 3 bottom, 13 feet from his feet, approximately.
 4 Q They were downhill, you said?
 5 A Yes.
 6 Q Who recovered those?
 7 A Simonello.
 8 Q Did he recover everything on the scene?
 9 A He recovered everything that would be considered
 10 evidence. His personal effects I recovered from the body.
 11 Q When did you take the personal effects?
 12 A After we were done, after the medical examiner
 13 arrived and did his things, pronounced him.
 14 Q About how long was it before the medical examiner
 15 got there?
 16 A I am sure I have it written down in the report.
 17 I would say about an hour, approximately.
 18 Q Were you there when the medical examiner arrived?
 19 A Yes.
 20 Q What did he do?
 21 A He looked at him, asked me what we had. We told
 22 him what we had. Basically pool of blood under his head.

24

- 1 gun in his right hand, appeared to be a .38 caliber
 2 revolver, no sign of a struggle, no other obvious signs of
 3 trauma to the body.
 4 At that point we looked at him, myself and he
 5 rolled the body, and he had to actually stand downhill at
 6 his feet, because as we rolled him, he was starting to
 7 slide down the hill on us, and it was very steep.
 8 At that point, you know, he looked at the back of
 9 his head, I looked at the back of his head, and I was
 10 wearing gloves, I probed his head and I could feel -- what
 11 I felt in his head was mushy here. I did not, you know,
 12 there was hair, blood and other matter there, and I did not
 13 observe any blowout, like his brains had been blown out all
 14 over the place. It just appeared it was mushy there.
 15 Q When you say "there," could you describe where
 16 "there" is for the transcript?
 17 A I'm sorry. It would be pretty much the exact
 18 center of the rear portion of the skull.
 19 Q Above the ears, below the ears?
 20 A Above the ears, right, just, I would say about
 21 two inches rear of center, top. Two inches rear of center,
 22 top, right in the center, back of the head, that area in



1 there. And then, of course, again, I probed that, we
2 rolled the body and observed on the side of his arms,
3 through his shirt, you know, the -- where the cuffs are,
4 the opening, there appeared to be lividity there on his
5 legs. Lifted his pant legs, there was lividity on the
6 lower part of his legs. It increased as it got to the
7 lower portion of his body, which was consistent with his
8 position.

9 The medical examiner, Dr. Haut -- I was a little
10 surprised -- he asked us what time did we get the call,
11 what time did we come out there. We arrived at around 1800
12 hours. He said, well, make that the time of death.

13 I looked at Simonello, and I was like, he is the
14 medical examiner, but obviously that's not the time of
15 death. So that seemed very odd to me, why he would say
16 that. I don't know if it was --

17 Q Okay.

18 A I have no idea why he would -- unless he just
19 meant the time he was pronounced. Perhaps that's what he
20 meant, I am pronouncing him. He said, well, make that the
21 time of death. I knew it wasn't the time of death,
22 officers were there before 1800 hours. So if he decide at

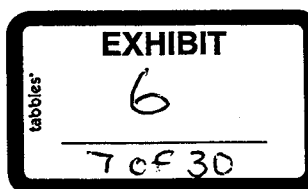
1 1800 hours, somebody is in trouble.

2 Anyway, I removed his personal effects, which
3 included the White House beeper which I wasn't sure was
4 White House. It said WHCC, I think, or CS, White House
5 Communications Center, White House Communications
6 something. Again, that was turned off. He had a watch on
7 his left wrist, I removed. He had a ring. I think he had
8 a wedding ring and another ring on. That was all of his
9 personal effects.

10 Q Did you get any keys?

11 A I searched his pants pockets. I couldn't find a
12 wallet or nothing in his pants pockets. Later on,
13 Investigator Braun and myself searched the car. I
14 retrieved the jacket, retrieved the wallet, there was
15 identification, under the jacket on the seat was a White
16 House identification chain thing with a photo ID on it. It
17 wasn't really until then I knew that this was a White House
18 guy. We better call Secret Service. Again, not knowing
19 who he was, a million people work at the White House, so,
20 you know, obviously it was -- White House Communications
21 was what the ID said, so we weren't sure.

22 We searched the car and we were puzzled why we



1 found no keys to the car. We looked around. The car was
2 unlocked.

3 He had, I forget the exact amount, less than
4 \$300, but 280-some, I think, dollars in his wallet and a
5 money machine slip for \$300 from a day or two before, I
6 think.

7 The wallet is in there with the cash, his ID, and
8 I did not find the keys. As it turned out, Investigator
9 Braun and myself went to the morgue in Fairfax Hospital,
10 after we made a death notification, to recheck him. At
11 that point Investigator Braun located the keys in his
12 pocket.

13 Apparently when we rolled him, his pocket fell
14 all the way forward, this way, his pants pockets, and the
15 keys were in his right pants pocket.

16 Q Right front pants pocket?

17 A Yes.

18 Q Did you remove all of these personal effects
19 after or before photographs had been taken?

20 A Everything was done after. He was not touched
21 until after. The only touching that was done before -- I
22 believe it was before I started taking the Polaroids. The

28

1 only touching that was done, I lifted up his left hand to
2 see -- to check for rigor mortis and body warmth, just to
3 get an idea how long he had been there.

4 Q Were you there when Foster was placed in a body
5 bag?

6 A Yes.

7 Q Did you notice any extra blood coming out at that
8 point?

9 A Yes.

10 Q From where?

11 A His head and I believe his mouth and nose.

12 Q How much blood was coming out?

13 A I can't say how much. I helped them put them --
14 lifted him off the hill and put him into the body bag, and
15 in the body bag there was just more blood, more blood. We
16 weren't watching, basically.

17 Q How many people did it take, basically?

18 A I don't know. There's two ambulance drivers in
19 Virginia -- the ambulance responds to take bodies to the
20 hospital morgue. In D.C., Maryland it's all different.
21 But in Virginia there's two ambulance drivers. I helped
22 and I am not sure if anyone else helped.



1 identify the body?

2 A Oh, I'm sorry. Maybe through a question you
3 asked before -- yes. After we left the scene, myself and
4 Investigator Braun were heading to Mr. Foster's residence
5 in Georgetown to make a death notification. Lieutenant
6 Gavin called us and we talked to him, and he started to
7 call these guys from the White House, Bill Kennedy and
8 Craig Livingston, or Livingstone, whatever it is. I called
9 them, I don't know if it was on a mobile phone or
10 whatever. They wanted to know where he was at, Mr. Foster,
11 and could they see him. I told them he was taken to the
12 Fairfax County Hospital, he was in the morgue. They wanted
13 to see him. They knew him, they were personal friends,
14 they worked with him at the White House. They could
15 positively identify the body even though we, through photo
16 identification, knew who he was. If they wanted to see the
17 body, we didn't have a problem with that.

18 We called the security guards at the hospital,
19 told them they would be coming and it would be all right to
20 see the body.

21 Q Did you call them, the hospital?

22 A Yes, I believe I called them. I talked to them

1 two times while I was in the car. We also got a call to --
2 Lieutenant Gavin said to call this guy named David Watkins.

3 Q This is all on the 20th; right?

4 A Right. This is all in the car on the way to make
5 the death notification.

6 Q Dave Watkins, he is at the White House, too; is
7 that right?

8 A He was. He was golfing on -- taking the
9 helicopter. He was, but he is not there anymore.

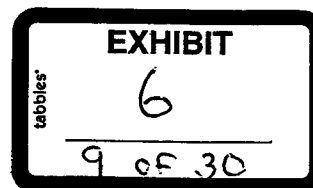
10 Q All right. Well, at the time --

11 A I found out, yes, but all I knew was to call this
12 guy, David Watkins, who was a personal friend of Vincent
13 Foster, whatever.

14 Q Right, as a personal --

15 A Right, so I called him to come over to make a
16 death notification. It's a good practice to take a close
17 family friend. Apparently Lisa Foster had played tennis
18 earlier that day with his wife. They lived in Georgetown
19 only a couple blocks away from where the Fosters lived. So
20 we went to his house first to pick him up. His wife
21 followed us in their car.

22 We went over to Foster's house. At that point he



1 said my sister and some other people are coming, can we
 2 wait for them. I basically stated no, I am making a death
 3 notification. I don't want a circus at the Fosters.
 4 Everything is knocking on your door, but to see a line of
 5 people behind you, I was very uncomfortable about that.
 6 Unfortunately everybody showed up as we were walking up to
 7 the door, so it was a circus-like atmosphere.

8 And -- who's that big guy -- I think he was a
 9 member of the Rose Law Firm also, I forget his name --

10 Q Is it in your conversation with the FBI?

11 A It might be. He was just in the news recently.
 12 He was there, I think it was Sheila Anthony. I am not sure
 13 if his elder sister was there. There were two sisters, two
 14 women, one being Sheila Anthony and this other guy, just a
 15 huge guy. I know he is in the limelight.

16 Q Webster Hubbell?

17 A Webster Hubbell, right, Web Hubbell. And there
 18 were a couple of other -- we had David Watkins, his wife,
 19 Web Hubbell, Sheila Anthony and I think another woman which
 20 I think was the other sister, I am pretty sure.

21 So there were at least five people, other than
 22 myself and Cheryl Braun, going to the door. At that point,

1 we knocked on the door, the daughter answered, I forget her
 2 name, Laura. Laura answered.

3 Q Do you recall what color hair she had?

4 A Blond. She had blond hair.

5 Q All right.

6 A We identified ourselves, and the other people, I
 7 asked them to wait outside for a second and just have
 8 Mr. Watkins come up. They are on the walk, she could see
 9 them, and she started getting upset and yelling for her
 10 mother, who was upstairs. At which point Lisa Foster came
 11 downstairs and stood on the third step and said what's
 12 wrong, both of her sons were out, and then she saw David
 13 Watkins, and his wife, and she asked, said something about
 14 Vincent, and I said -- I asked her to sit down. It was
 15 very rough. I asked her to sit down and said, I am very
 16 sorry to tell you --

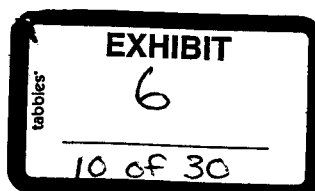
17 MR. DARMER: Off the record.

18 (Discussion off the record.)

19 BY MR. IVEY:

20 Q Okay. Lisa Foster comes down the stairs. By the
 21 way, what color is her hair?

22 A She has got blond hair.



1 battlefield park. This was a battlefield fort, an earthen
2 fort.

3 Q Do you know if they recovered anything?

4 A I don't know if they recovered anything.

5 Q Do you know how big of an area they served?

6 A No, I am not familiar with that.

7 Q Was there any attempt to find bone fragments or
8 anything in the ground?

9 A They searched the area. they did search the area
10 around his head for the bullet, in case -- for bone
11 fragments in case he was laying down when he shot himself,
12 which we didn't believe and, of course, didn't find any.

13 Again, bone fragments, I still can't believe that
14 the hole -- it's a small hole. They may put their finger
15 through it, that's a big hole. His head was not blown
16 out. Again, he was sitting up. As far as the FBI's search
17 for bone fragments, they searched around his head to a
18 depth of 18 inches or whatever and sifted. They didn't
19 sift the whole park, so --

20 Q Have you ever been connected with investigations
21 where there was a shooting involved and no bullet was
22 recovered?

1 A A shooting involved, no bullet recovered.

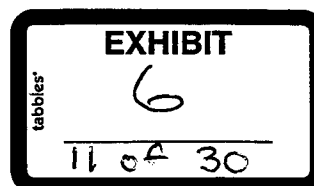
2 Personally?

3 Q Or are you aware of any?

4 A I am aware of investigations where people have
5 been shot and the bullet has pierced their body and you
6 don't find it again. It's not an uncommon thing at all.
7 You are in an outside wooded area. That bullet could be
8 sitting on top of a tree.

9 Q What about bone fragments? Have you been
10 involved in cases where there were shootings and no bone
11 fragments recovered?

12 A Certainly. The size of the wound is not large
13 and bone fragments would be tiny. You know, even the
14 FBI -- you know, much better than us, they had their expert
15 lab people, but, again, they searched basically an area
16 around his head. I don't know how far bone fragments would
17 go. I don't know. I don't know where they are, I don't
18 know if they got stuck in the scene. I probed his head and
19 there was no big hole there. There was no big blowout.
20 There weren't brains running all over the place. There was
21 blood in there. There was a mushy spot. I initially
22 thought the bullet might still be in his head. Could have



1 been the brain pushed up against that hole. There's no big
 2 hole or big blowout in his head.

3 Q So the exit wound was small?

4 A Right.

5 Q I guess you also reviewed Mr. Foster's "diary" at
 6 some point?

7 A Yes.

8 Q Tell us -- I am not trying to get at personal
 9 things that aren't somehow relevant to his death -- but do
 10 you recall seeing anything in the diary that you reviewed
 11 that you thought was relevant to him killing himself?

12 A No. You know, Hamilton made a big deal about us
 13 viewing the diary. Myself and Lieutenant Kass, K-a-s-s,
 14 went to Hamilton's office. This was, again, a couple days
 15 after the initial search of his office at the White House.

16 Q We don't want to talk about that today.

17 A Okay, well, whatever. Whatever documents they
 18 said that we could look at was given to Hamilton. After he
 19 had them for several days, then we were able to look at
 20 them. He made a fuss about us looking at the diary, saying
 21 it's personal. We said it's potential evidence. We don't
 22 wanted to embarrass anybody, but it's potential evidence

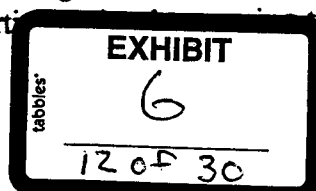
1 and if there's something here we need we are going to take
 2 it.

3 I looked at it. As I remember it, it was -- I
 4 forget the color of it, but it was 6-by-8 or, you know, the
 5 hard-bound blank pages, lined. I don't remember if the
 6 date was on the pages or not. I think it was just blank,
 7 you had to handwrite the dates in.

8 The first several pages seemed to be empty, and
 9 there was only about 10, 15 pages with writing on it
 10 anyway. The rest of the book was empty. I looked through
 11 it. I bent back the binding through the pages and tried to
 12 look to see if there had been any pages ripped out. It
 13 didn't appear to me that there had been.

14 The time frame of the diary -- the writings
 15 concerned a party at the governor's mansion, the time frame
 16 seemed to be postelection with Mr. Clinton, postelection
 17 and preinauguration.

18 There was nothing seamy in the diary or -- I
 19 don't know why he made a fuss about us looking at it.
 20 There was obviously some friendship, a close friendship
 21 between him and Mrs. Clinton. Again, there's nothing
 22 seamy. They talked about party there.



1 A No, because we didn't know what the scene was.

2 Q Let me then go back, because I wasn't clear about
3 the scene when you first arrived. You mentioned a lot of
4 different names. Can you try to tell me everyone who was
5 in the parking lot, as best you can recall, when you first
6 arrived at Fort Marcy?

7 A Have you been to the parking lot?

8 Q I have not been out there. I have just seen the
9 pictures.

10 A You go up GW Parkway, it's a quick, small
11 entrance, little island, one in, one out. You only get
12 there from the northbound lanes of the GW Parkway. A blue
13 Mercedes down, I think right by the island there, with the
14 flashers on. We pulled in there, you have to drive all the
15 way down, and there's just a rectangular parking lot, I
16 would say maybe 50 yards, maybe not, between 30 and 50
17 yards long, parking slots on both sides.

18 The gray Honda, Foster's car, is, I believe, in
19 the fourth parking spot from the very end when you first
20 pull in facing the wooded area, the trails, and there was,
21 I think, a white, a white car with two people in it, and I
22 don't think there was any other cars there at that time,

1 other than the police cars.

2 In the parking lot is Officer Ferstle, I don't
3 remember if Lieutenant Gavin was there at the same time or
4 he came later. Obviously, Simonello pulled in his vehicle,
5 separate vehicle. Abt, Braun and myself are in one
6 vehicle.

7 Q Did you see Fornshil when you first got into the
8 parking lot?

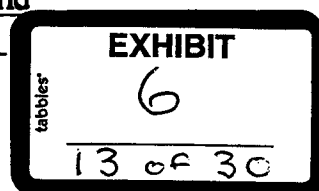
9 A No, Fornshil was already gone. He was already
10 gone. We requested him to come back because we thought it
11 was odd, first person on the scene, to find the body.
12 There was other things going on, he was sent on another
13 call. We requested him to come back.

14 Q Did he come back?

15 A I don't recall talking to him. I don't know if
16 Cheryl Braun talked to him. He may have come back when she
17 was down in the parking lot. She may have talked to him,
18 but I did not talk to him.

19 Q Do you know if he filed a report in the case?

20 A Yes. First officer on the scene would take the
21 original case number and do the original case report and
22 everything we do is under that number on subsequent



1 reports.

2 Q So you don't know if Lieutenant Gavin was on the
3 scene when you arrived?

4 A I don't remember. He may have been already
5 there.

6 Q Who is he? Is he a detective also?

7 A No, he is a lieutenant, a field commander. What
8 we have is, you know, we have regular uniformed officers,
9 sergeants, lieutenants. Lieutenant or field commander is
10 in charge of everybody on the street. Sometimes we have
11 two to cover different districts. Basically the field
12 commander, anything that goes on, he is made aware of, and
13 he is the liaison to the press or anything like that. And
14 any major incidents, anybody that has to be notified,
15 that's all taken care of.

16 Q So anything that occurred on that district for
17 that day, Lieutenant Gavin would have been --

18 A Not anything that occurred, a major incidents
19 that needed to be known, like this. We have a dead body,
20 usually a lieutenant will respond to the scene in case
21 there's media, press, wanting to know what have we got. He
22 has got to do a press release, and he wants to know from

54

1 us, he will talk to us afterwards and find out what
2 happened, what he can say and what he can't say, what he
3 can release and what he can't release.

4 Q But he was the superior officer on the scene?

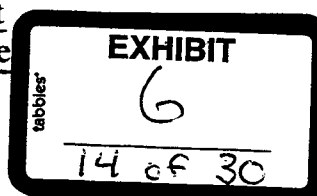
5 A Right. He was the superior officer on the scene.

6 Q What was the chain of command above him that
7 day? Who was the officer he would then report to?

8 A He is it for the shift. Field commander is kind
9 of the supreme being for the shift. Ultimately, the whole
10 situation, you have got lieutenants that are commanders of
11 each substation. He is a field commander then district 2
12 substation has its own lieutenant, assistant commander and
13 has a captain that's a commander of that station. But the
14 field commander controls what is going on on the street.
15 He is responsible. He would report to the control branch
16 commander, a major. He will write his report that will go
17 to control branch commander.

18 Q Would you ordinarily work closely with the field
19 commander in the course of your investigation?

20 A No. In fact, probably like a lot of police
21 departments, you have good police officers and stuff, but
22 when the detectives come on the scene, the detectives are



1 in charge of that crime scene. They are the ones that are
 2 responsible, sergeant, lieutenant, doesn't matter. Unless
 3 we are specifically relieved of duty, we say what goes, you
 4 know, we are supposed to be in charge and tell people --
 5 control access to the crime scene.

6 You know, I have never had a problem with a field
 7 commander, working with him, when we need people, fielding
 8 people for interviews, but they try not to get too involved
 9 because it's not their job.

10 Q So Lieutenant Gavin wasn't telling you to do
 11 anything at the scene?

12 A No.

13 Q Was he participating at all in your conversations
 14 or decisionmaking?

15 A No.

16 Q So, it was you, Detective Abt and Detective
 17 Braun?

18 A Braun and Christine Hodakievic, who was an
 19 investigator at the time, has since left. She wanted to go
 20 back on patrol. She just got off work, took a couple of
 21 hours leave, lives out that way. On her way, she stopped
 22 to assist.

1 Q Because she heard something on the radio?

2 A Right. She was there before us.

3 Q By the way, would a field commander like Gavin
 4 ordinarily file a report in a case of this sort?

5 A No.

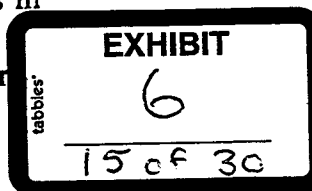
6 Q Why is that?

7 A He would write a shift summary of events that
 8 happened, and special events would be a little bit longer,
 9 which patrol branch commander, I believe -- again, I am not
 10 a lieutenant, I am not sure exactly of all the little
 11 things that they do, but, no, there is no -- if he did
 12 something significant, if any officer did anything
 13 significant, we would request him to do a 44, which is our
 14 supplemental report, and it would be given to us to put in
 15 the case jacket.

16 Q But as the detective in charge of the death scene
 17 was involved in other communications --

18 A He left the parking lot. I will say I don't
 19 remember him ever coming up to the crime scene. I don't
 20 remember that, if he did. But even if he did, he was in
 21 the area. He wasn't on the crime scene.

22 Q Well, what if he contacted other agencies or



1 day.

2 Q Which day would that be?

3 A Tuesday night, we found him so Thursday morning.

4 Q The 22nd?

5 A Right, I got a call at 8:30. I was asleep for
6 half an hour, we got a call. White House said they could
7 do the autopsy, it was pushed up to 10:00, whatever, do I
8 want to come back in. I couldn't make it.

9 Q Do you remember who called you?

10 A Sergeant Rule.

11 Q Who's he?

12 A He is one of the detective sergeants, people in
13 CIB, criminal investigations branch.

14 Q If, at any time, it's someone outside the CIB,
15 will you let me know, because there are a lot of names.

16 A It would be very odd if anybody outside the CIB
17 would ask anybody or do anything in an investigation.

18 Q Did Officer Rule, when he called you, tell you
19 the autopsy had been moved up, specifically at the request
20 of the White House?

21 A Yes. He told me it had been pushed up. They
22 wanted it done sooner, so they got it.

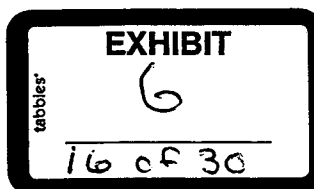
1 Q Did you ask him why or ask him any questions
2 about it?

3 A No. After -- again, I didn't know he was, even
4 being in the White House, I wasn't overly concerned. Like
5 I said, a million people work in the White House, but until
6 such time as it started picking up all this people, trail
7 of people following us to the house. I realized this guy is
8 fairly important and when the president of the United
9 States walked in, that dawned on me. So I realized the
10 White House is going to do whatever they want to do. If
11 they want the autopsy pushed up, okay. So I wasn't
12 surprised.

13 Q Is it standard operating procedure for the
14 investigating detective, like yourself, to be at the
15 autopsy?

16 A Yes, because, although the medical examiner will
17 have the reports, there are many times they will ask
18 specific questions to you, and if you can explain better in
19 person, the scene, explain things better, and you are also
20 viewing the body, the autopsy, and he can explain wounds to
21 you. You can visually see the wounds.

22 Q Would you ordinarily write a report, based upon



1 your attendance at the autopsy?

2 A Yes. There would normally be a report written.
3 not a detailed report, obviously, because they can get the
4 autopsy report from the doctors, but the autopsy report
5 will say the autopsy was done by Dr. So-and-so. Usually,
6 in most cases the doctor, at that point, after doing the
7 autopsy, will rule on the death, unless it's undetermined
8 or he needs more time to wait for the toxicology to come
9 back, based upon our reports, photographs of the scene, the
10 reports, and the wounds, and what he observed, lividity.
11 Everything was consistent with the position of the body on
12 the hill. Everything was consistent at the scene to be
13 ruled a suicide.

14 Q Let me go back, though. Before you ended your
15 shift on the night that the body was found, you had been
16 told or you knew that the autopsy was scheduled for the
17 22nd, or two days after?

18 A Yes. I called -- Dr. Beyer likes to come in
19 early a lot of times. I had called. I don't know if I
20 left at 6:30 or later, but I waited, because I wanted to be
21 sure, and I did want to attend, and I waited until someone
22 in his office answered, and, whether it was the secretary

1 or a calling service, whatever, it may have been him -- to
2 tell you the truth, I don't remember, because I know he
3 comes in early. I was told, no, it wouldn't be done the
4 following -- it wouldn't be done that morning, it would be
5 done the following day.

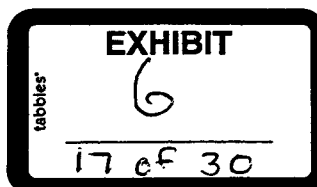
6 Q Did you note that in one of your reports
7 anywhere? Would that have been written down somewhere as
8 part of the case file?

9 A No.

10 Q What was the standard operating procedure for
11 scheduling autopsies, generally? Did you just always call
12 as the investigating officer to try to schedule it?

13 A That's the doctor's office. In Virginia,
14 Dr. Beyer does them. A lot of times he will come in
15 early. He will come in at 6:00 a.m. sometimes and start
16 cutting, depending on how many bodies he has. You
17 basically have to call the medical examiner's office and
18 find out, did they pick up the body, or was the body
19 delivered to the medical examiner's office, and when do
20 they plan on doing the autopsy. So you have to call.

21 Q Who usually handles getting the body to the
22 autopsy, the medical examiner's office. I mean in this



1 case the body was at the hospital; right?

2 A The body was taken to the hospital morgue, and
3 then, I am not sure if the medical examiner's office sent
4 someone to pick up the body. We faxed in the report,
5 saying we had a dead body, suicide, so they know they have
6 so many -- obviously every dead -- every person that dies
7 in Virginia has an autopsy. A suspicious death, suicide,
8 suspicious death, you know, suspected homicide, suspected
9 suicide, any suspicious death, a death that is not in a
10 doctor's custody, care, it would be pretty much an autopsy.

11 Q When you got called that the autopsy was going to
12 happen on the next day, you couldn't go. Did Sergeant Rule
13 tell you who was going to attend?

14 A He said they would take care of it, that they
15 would make sure somebody would.

16 Q Did you ask who it was going to be?

17 A No.

18 Q Do you know who ultimately attended?

19 A I think it was him. I think it was Investigator
20 Morrisette, M-o-r-r-i-s-s-e-t-t-e, and an ID tech,
21 evidence technician, identification technician Shelly
22 Lindsey. There was another ID tech there, also.

1 Q Third one?

2 A Second ID tech. There were four people that went
3 there, I believe.

4 Q Do you know if any of those four people had been
5 there at the scene of the death?

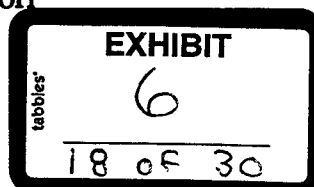
6 A No. None of the four had been there. That's
7 not -- definitely not a policy, but, again, people that
8 were there, that worked all night, were gone. We were
9 there a very short while.

10 Q Is it SOP to have someone who was at the scene of
11 the death attend the autopsy?

12 A Yes. That would be normal operating procedure.
13 As I say, there may be nothing -- there may be questions,
14 you like to explain the scene, and the doctor likes to hear
15 besides reading the report and looking at the photographs.
16 He can explain things if you have questions. The
17 investigator may have questions that he needs to ask the
18 doctor.

19 Q When did you find out who actually attended the
20 autopsy, who the officers were who were attending?

21 A To tell you the truth, I don't know if I took off
22 that afternoon, because I was tired. I don't know if I



1 the front of the body, basically looking it over, again, no
2 obvious signs of trauma.

3 Q Was he touching it while he was examining it?

4 A I believe so. I can't picture this in my mind,
5 for some reason. What I remember next is we rolled the
6 body over.

7 Q How did you do that?

8 A Simonello removed the gun, I grabbed the right
9 hand and rolled him towards me, on the left side, and --

10 Q So, the body ended up in a position away,
11 different than it had been when you first saw it?

12 A Right, yes, and I also, before he rolled him I
13 took the beeper and I think his two rings and his watch.

14 Q What did you observe under the body on the ground
15 where the body had been?

16 A The only thing I observed under the body, again,
17 was a pool of blood where it had been on the ground, his
18 shirt was bloodsoaked. The blood had all run down the
19 back. It was wet, bloodsoaked.

20 Q How far down the back?

21 A I would say midway or more down the middle of the
22 back. I am thinking primarily, left side? I have it

1 written down in the report, whichever side it was.

2 Q But was it full back or dripped in lines down the
3 back?

4 A No, it was not lines, it was a big wet patch of
5 blood, soaking wet.

6 Q What about on the ground?

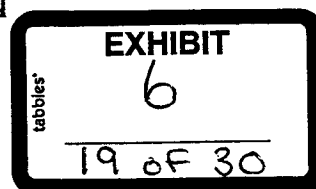
7 A I believe there was some blood mark on the
8 ground, I don't remember. But most of the blood under his
9 head, where his head was, yes, there was blood on the
10 ground, but most of the blood that had run down was
11 absorbed in his clothes.

12 Q Was there any kind of dirt or leaves on his
13 clothing when you rolled him over?

14 A Yes, he was on the ground, laying on the ground.
15 The hill, berm or embankment was dirt, there was other
16 leaves and grass around him, but it wasn't like a pathway.
17 it was too steep. You would break your neck walking down
18 there, but, yes, there was dirt, leaves, flies.

19 Q On the back of his clothes, when you rolled him
20 over?

21 A I assume it would be, because he was there, I
22 don't remember for sure.



1 the physiological factors that are taken into effect.

2 Q Is it SOP to ask the medical examiner to try to
3 estimate a time of death?

4 A On the scene, you could, yes, you could say, and
5 about how long. It was quite apparent he wasn't there that
6 long.

7 Q You mentioned that before. Tell me again why you
8 thought that.

9 A His skin was still warm and that could have been
10 from the heat of the day, although several factors
11 accelerate rigor mortis. He did have lividity, which
12 starts basically almost -- onset is almost immediately.
13 The heart stops pumping blood, gravity takes over and blood
14 goes to the lowest portions of the body. Rigor mortis
15 starts two to four hours, manifests itself six to 12 and
16 heat can accelerate that and other things, drugs, can
17 prevent it from being accelerated, also. His skin was
18 still warm. I lifted his arm. Rigor mortis usually will
19 start in extremities and smaller parts, and he seemed very
20 flexible to me, and the blood was still wet.

21 Q The blood on the body?

22 A The blood under his head was just starting,

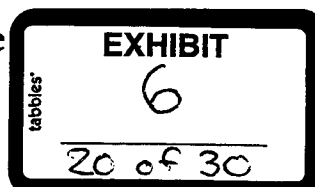
1 starting to gel. It was still wet. The edges, I think the
2 edges where there was less blood were starting to gel. So
3 it led me to believe that he hadn't been there more than a
4 couple of hours. Again, the flies, I just -- he hadn't
5 been there that long because they are pretty fast workers.

6 Q Did you share these observations with Dr. Haut at
7 the scene, talk about this kind of stuff?

8 A Yes, also Simonello. Simonello had been an
9 identification technician for several years, we had worked
10 several death scenes. So my training and experience -- you
11 know, I utilize his training and experience in doing things
12 and us discussing things. Again, like us discussing
13 certain things, I know people overheard something so they
14 made statements, but we discussed several factors, several
15 possibilities and basically what we thought basically had
16 happened.

17 Q Did Dr. Haut tell you anything or observe
18 anything that affects your -- affected your estimated time
19 of death?

20 A No, I don't remember that he did. The only
21 thing, like I said, that I find odd and still find odd is
22 that he would say, what time did you get here, we will make



1 that the time of death.

2 Q But you didn't raise it with him?

3 A No. I mean, again, I was shocked, and I was
4 thinking, maybe I don't know what he means, maybe he means,
5 again, means, death notification, but he wasn't there at
6 6:00. I forget exactly what time he was there. I was just
7 shocked. I believe I talked with Simonello about that,
8 too.

9 Q Did you mention it --

10 A But what I figured, I basically figured that, all
11 right, he is on the scene, but the autopsy report is going
12 to give him a more detailed time of death, based on all the
13 factors and the doctor doing the autopsy and the
14 physiological factors, we will probably be getting a more
15 detailed time of death.

16 Q Do you generally expect to see a time of death in
17 an autopsy report?

18 A Bodies like the Park Police handle are normally
19 dumped bodies or found. In ours, we would request about
20 when. Like I said, it's not television, you can't
21 pinpoint. Only way you can do it is if someone sees it,
22 like this guy at the Lincoln Memorial. He videotaped

1 himself shooting himself.

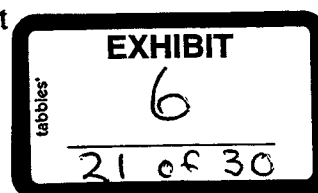
2 Q But it also included an estimated amount of time?

3 A I am not sure if he would write it in the
4 report. There are so many parts to these autopsy reports.
5 I would definitely expect to have an idea from the doctor,
6 an approximate time of death, a time frame based upon our
7 information, the physiological information he is getting
8 and interviews later, trying to close the window of death.

9 Q Do you know if anyone requested the medical
10 examiner, Dr. Beyer in this case, to estimate a time of
11 death?

12 A I am quite sure that he was asked, again, because
13 of the nature of this, because the only window of death
14 that we at the time could find was, and, again, the autopsy
15 report is not ready right the next day. I am sure if he
16 didn't do it that day they went back, said, look at your
17 notes and reports, the information came, because the best
18 we got was 1:00 or 1:30 in the afternoon, he left his
19 office after he had lunch at his desk, and he was found at
20 5:30 or right before 6:00.

21 Q Do you know if Dr. Haut filed any kind of report
22 in this case?



1 A No, no, I don't. We wouldn't get anything
2 from -- I have never gotten anything from the medical
3 examiner who came on the scene. It's either their notes or
4 they have a standard form they thought to give to the
5 doctor who's going to do the autopsy and then those notes
6 may be incorporated into the autopsy report.

7 Q But it doesn't come through the police.

8 A (Witness nodded.)

9 Q When you turned the body over with Dr. Haut, did
10 you or anyone else take photographs of the area under the
11 body?

12 A You know, we rolled that body and I took
13 Polaroids of the body rolled -- and it's not funny, but the
14 reason I remember it is because I pulled his arm up,
15 rolling him, obviously moving the body. I didn't care what
16 position he was in, one arm was pulled up, and he began
17 sliding down the hill. So Dr. Haut stood at his feet while
18 I rolled him over to keep him from sliding all the way down
19 the darn embankment. I pulled one arm up. So when I
20 rolled him, one arm was up, I forget which arm, and I
21 pulled him, he slid down a little bit, so I pulled him back
22 up, so he is actually higher up on the hill now. It looked

1 like he was crawling up the hill and it looked funny,
2 wasn't funny. It's kind of one of these things, but I
3 didn't take pictures because it was funny. I know I took
4 Polaroids of that. I am not sure exactly how many I took,
5 but I don't recall seeing those Polaroids again. I mean, I
6 had them in the office that night, I did reports, and I
7 don't know what happened.

8 Q Do you remember how many Polaroids you would have
9 taken?

10 A Unless there was something significant.

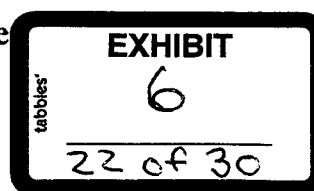
11 Q I'm sorry.

12 A Unless there was something significant. Again,
13 the shirt, the back of his shirt being bloody was
14 significant, back of his shirt and back of his head. I
15 don't think I took many because Simonello was taking the
16 35s.

17 Q Did he take a lot of photographs?

18 A Yes. He did take a lot of photographs.
19 Unfortunately, for whatever reason, they were underexposed,
20 overexposed.

21 Q Did you tell him from what angle to take the
22 shots?



1 A No, he is the expert. If there is something
2 specific I want to show that he is not picking up, he will,
3 but he is basically the ID expert, he knows what he needs
4 to show and he basically does his job without my
5 interference.

6 Q Do you know if he took pictures, after the body
7 had been turned over, with the 35-millimeter camera?

8 A Yes, he sure did.

9 Q Did you have more than one packet of Polaroid
10 film with you that day?

11 A I think I had more than one packet. I don't
12 think I took more than one. There's only 10 in a pack. I
13 may have reloaded because I know I took some on the
14 backside. I don't have those photos, I put them in a
15 jacket. God knows how many people looked through those, and
16 I don't know what happened.

17 Q When did you first notice they weren't around?

18 A I don't recall until being interviewed by the FBI
19 about it. I know I took pictures.

20 Q Well, you indicated in your report that you took
21 pictures; right?

22 A Right.

1 Q It's those pictures that you don't remember being
2 in the jacket or in the file afterwards?

3 A I don't remember seeing backside photos, and I
4 know I would have taken, I had at least one from a way from
5 him, after rolling him, and probably at least two more, or
6 at least one more. I would say there has to be two,
7 because I would have taken -- since a lot of times
8 investigators won't take too many Polaroids, they will
9 leave it to me, and I wanted to have photographs, I may
10 have taken a closeup of the back of the head, there may
11 have been one, but I don't remember.

12 Q Polaroids come out right as you are taking the
13 pictures; right?

14 A Yes, right.

15 Q Do you remember as you were taking the pictures
16 looking at the pictures right then?

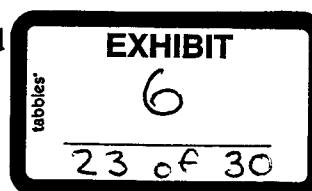
17 A Right.

18 Q What was the quality of the pictures?

19 A I think the Polaroids were fine.

20 Q Dark, light?

21 A I mean, Polaroid-quality photos are not as good
22 as 35s as far as clarity. The color of a Polaroid is not



1 exact. Like, the plants that are green do not look exactly
2 green. The color was not exact on the Polaroids, but as
3 far as being able to see what is there, you could, but,
4 again, the blood was not very visible on the ground in the
5 Polaroid photos.

6 Q Do you recall taking a specific picture of the
7 pooled blood that had been under his head?

8 A I don't recall that. I recall taking a picture
9 of his head and around it, and I recall looking at the
10 Polaroid and not being able to see the blood very well at
11 all, but I noted and I remembered perfectly that -- because
12 no one had said anything to me on the scene like I don't
13 see any blood or anything. There was none of this
14 discussion there about all the stuff that came out later.
15 When I got there, I did my observations of the scene and I
16 noted I observed the pool of blood under the guy's head.

17 Q Did you say that you also saw some Polaroids that
18 Sergeant Edwards might have taken of the scene?

19 A They had at least two Polaroid photographs.

20 Q They had photographs?

21 A Photographs, two Polaroid photographs that I
22 requested, and I am not sure which ones they are, they may

1 be in the -- I may have just put them in the -- I think I
2 told them to mark the -- to initial the photographs. I
3 don't know if they are in there either. I don't know if
4 this is my fault, but I believe all the photographs were
5 put in there and they don't show anything different. I
6 looked at them, they don't show anything different than my
7 photographs.

8 Q But you say you only remember two photographs
9 from Sergeant Edwards?

10 A Yes.

11 Q Do you remember being shown photographs when you
12 were interviewed by the FBI?

13 A Yes.

14 Q What kinds of photographs were they?

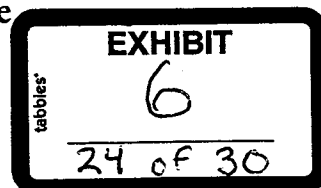
15 A They were my Polaroid photographs.

16 Q Were they yours?

17 A Yes.

18 Q How could you tell they were yours?

19 A I remember taking them. I remember what pictures
20 I took, but anybody could have taken the same angle and
21 pictures, but Simonello came out. I am assuming they were
22 mine because there were no other pictures.



1 A Yes, and he did have a hard time pulling the
2 hammer back, partially cocking the revolver to allow the
3 trigger to pull back a little bit to slide the gun off of
4 the thumb.

5 Q Did anything about the death scene when you first
6 saw it strike you as unusual?

7 A No. There was absolutely -- I mean, again, at
8 the beginning, at the end, what's unusual is there is a
9 dead body there. Why? Why is there a dead body here?
10 That's what we are here to determine. No drag marks, no
11 tire marks, this man is wearing probably a tailor-made suit
12 with an expensive dress shirt, white, not wrinkled, very
13 neat, he is a big man, the shirt tails aren't pulled out,
14 no signs of a struggle, no broken brush, no scuff marks on
15 the dirt around him, no obvious trauma to his face, neck,
16 hands, nothing, other than a man laying back with a gun in
17 his hand and blood coming out from the back of his head and
18 trickling from his right nostril and the right side of his
19 mouth.

20 Q I think you mentioned in response to an earlier
21 question something about stippling on the face? Do you
22 recall that?

100

1 A Yes.

2 Q What is that and what did you see?

3 A Very slight -- it's marks from the blast of a
4 fire, blast of a gun. It's not gunpowder, it's just
5 residue that can be washed away, I believe.

6 Q Did you notice it in any particular location or
7 all over his face?

8 A No, no, no, his face was very clean. His face
9 was clean except for he had a trickle of blood out of the
10 nose and the nostril, which I did check, that was -- to me
11 it was still wet, starting to dry, but it was basically
12 very clean, but a few marks that I would characterize as
13 stippling.

14 Q You indicated that Foster's thumb was in the
15 trigger?

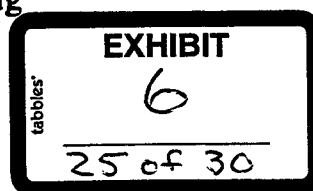
16 A Right.

17 Q Caught in the trigger?

18 A Yes.

19 Q Did his thumb appear to be swollen at all?

20 A It's hard to tell. It didn't appear to be
21 swollen, no. The man was a big man. Again, he had big
22 hands. His revolver is not a big revolver. It's a very



000033

1 front pants pocket the whole time.

2 Q Were you describing what you were finding in the
3 car? Was someone with you at the time or were you just
4 doing this by yourself?

5 A Yes, I mean, everybody was in the park at this
6 time because the other scene was cleared. I don't think I
7 was taking notes on what I found, because at this time -- I
8 think Cheryl Braun said he has a White House ID here. I
9 gave that to her, credit cards, wallet, driver's license.
10 I said this looks like the guy, this must be the guy, it
11 must be him.

12 Obviously, I secured the personal belongings,
13 wallet, jacket, the ID. I went through the car looking --
14 again, looking for anything that could lead me to believe
15 that it was other than a suicide or it was a suicide,
16 anything that could help confirm one way or the other.
17 There really was nothing. There was mail from his daughter
18 to him or him to his daughter in the trunk of the car and
19 stuff. There was a college sticker on the back of the car.

20 Q What about on the glove compartment?

21 A Nothing out of the ordinary. I think the vehicle
22 registration was in the glove compartment. I took that for

1 the time being.

2 Q Back seat area?

3 A There was a green canvas -- beige and green
4 canvas bag-type thing and there was nothing --

5 Q Did you look inside the bag?

6 A Oh, yes, I looked through the whole car. I
7 looked at everything.

8 Q What was inside the bag?

9 A I don't remember. It wasn't full. There may
10 have been a shirt or something.

11 Q Any paper?

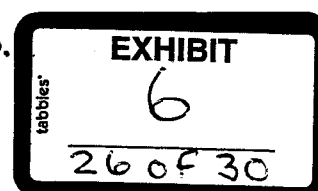
12 A No. No. Trust me, I looked. I looked under the
13 seats, I looked in the trunk. I looked at every piece of
14 paper I could find.

15 Q Did you leave the paper in the car, did you
16 physically take it and remove it at that time?

17 A No. I left it. If there wasn't some reason to
18 have it, then, you know, I didn't take it.

19 Q So other than his ID and the wallet, did you take
20 anything out of the car at that time?

21 A No. I looked at the cards and letters in the
22 trunk. There was maybe some school books back there, too.



1 A Sure, that's not up to us anymore.

2 Q Is it the hospital's decision?

3 A The morgue or hospital where somebody says I want
4 to see the body and usual the hospital, if it's a loved one
5 killed or something, I am sure the hospital will let them
6 look at them, view the body.

7 Q What about the possibility that -- what about the
8 possibility of disturbing the body or clothing or evidence
9 as part of an ongoing investigation. Would you be
10 concerned about that?

11 A They are not viewing it alone.

12 Q Who are they viewing it with?

13 A They have to be let into the morgue room to view
14 it. Many times when you view a body, you are in a separate
15 room and view it through the glass. This time, I don't
16 think that happened. They were in the morgue in the
17 hospital, they were let in, the room attendant unzipped the
18 body bag, they looked at it, he zipped it back up.

19 Q You can't touch the body, for example, go through
20 the pockets?

21 A No, nobody would be allowed to do that.

22 Q After you okayed them to go identify the body at

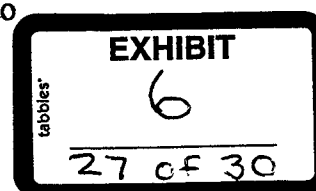
1 the hospital, then you were told to call Watkins; is that
2 right?

3 A Somewhere around there. I mean, I talked to
4 Livingston, I did at least three phone calls in the car.
5 In between I was told to call this guy Watkins, a personal
6 friend. He said he worked with him at the White House, he
7 would like to go with us to the family for support. Of
8 course we said it was all right.

9 Q Once you picked him up, did you have any kind of
10 conversations about the situation?

11 A I don't remember the exact conversation we had
12 with him. I know he said his wife was following us. We
13 had to wait for her to get her car. It was only a couple
14 blocks from his house to where the Fosters were living. I
15 am sure -- it was not a quiet ride, I know we spoke. I may
16 have told him what was going on. I may have asked him a
17 couple questions, but if I asked him questions, I would
18 have written it down in the report, so -- and I didn't
19 write anything in the report, so, obviously, he didn't tell
20 me anything.

21 Q How did Mr. Kennedy and Mr. Livingston know to
22 contact Lieutenant Gavin? Do you know?



1 I spoke with her, Cheryl spoke with her, she was very
 2 cordial. I remember asking her, did you see any of this
 3 coming, and she stated no. Nobody would say anything about
 4 depression or that they noticed some signs, they were
 5 worried.

6 There was no information given out to us.

7 Q You never got to ask that question of Lisa
 8 Foster?

9 A I did ask that right in the beginning when she
 10 was still on the steps, but she was so hysterical, I think
 11 the answer was "no, no," or this kind of thing. It wasn't
 12 enough -- you need to sit down and let people calm down.

13 Q What kind of information, other kind of
 14 information would you be looking to obtain in a
 15 notification specifically?

16 A Specifically, in this case, like I said,
 17 everything pointed to a suicide, but we wanted -- we
 18 obviously wanted to know, was there any reason to believe
 19 anyone would want to hurt him, was he having an affair, is
 20 there some reason, you know, not to embarrass anybody, but
 21 just to say, do you know about it, who is it, let's go talk
 22 to that person and what their feelings are, whatever.

1 Anything that would be out of the ordinary way of life.
 2 And was it -- was he taking medication or something, was he
 3 seeing the doctor, had he noticed anything odd about it.
 4 You know, both side of the spectrum.

5 Q But you didn't get to ask any of these questions
 6 of her?

7 A No. The only real question I got to ask was
 8 about the gun, did Vincent own a gun. She asked me what
 9 does it look like, you know. To me, right away I am
 10 thinking oh, he does, well, it's a black-colored
 11 revolver, .38 revolver. She cut me off and --

12 Q "She" being Lisa Foster?

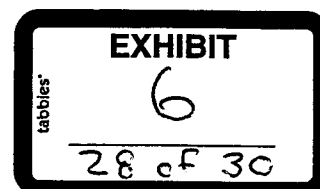
13 A Yes, being angry, emotional -- it's an emotional
 14 time when somebody supposedly kills himself -- angry and
 15 cut me off and threw up her hands and said, I don't know
 16 what guns look like and walked into the kitchen away from
 17 me.

18 Q Did you try to follow her into the kitchen?

19 A No.

20 Q Did Investigator Braun try to follow her into the
 21 kitchen?

22 A No. I had better rapport with her. She wouldn't



1 impossible, impossible to set up a scene so perfectly. I
2 don't care if you are CIA, you can't do that. That man was
3 a huge man. You can't dig feet in dirt and leave no
4 marks. You can't break foliage and have it replaced.
5 There's never been any doubt in my mind that for whatever
6 reason the poor man sat down and for whatever reason --
7 because we are still not sure. There could have been
8 various reasons, and in a homicide, obviously, a motive is
9 a very important factor, and a suicide motive is still very
10 important, but it's not as important as a homicide because
11 there could be so many factors that makes a person
12 depressed enough to go to those lengths to take their life.

13 Q Did anyone at the notification mention depression
14 or antidepressant medication that Foster might have been
15 taking?

16 A I mentioned depression, did you see this coming,
17 were there any signs, has he been taking any medication?

18 No. All negative answers.

19 Again, it was like, in my opinion, I just didn't
20 believe we were getting honest answers, you know. Every
21 question, every single person is just -- I felt like -- I
22 hate to say it, I felt like because of who he is, he is

1 political, nobody is going to talk to us and give us
2 anything, whether it's the truth or not the truth.

3 It's not a big deal, the man committed suicide,
4 but no one is going to say that until they are sure that
5 it's okay to say that.

6 Q Do you know if any calls were made from the house
7 that evening while you were there?

8 A A lot of calls were made.

9 Q Do you know who the calls were made to?

10 A No idea.

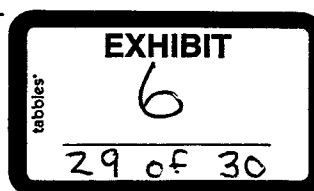
11 Q Do you know if anyone called any physicians that
12 night from the house?

13 A I don't know who was called. I know that the
14 house phone was used, I think it rang a couple of times.
15 Web Hubbell was constantly on his phone.

16 Q You don't recall any contacts with Dr. Watkins or
17 any of Foster's other physicians on that evening?

18 A No.

19 Q Based upon what everyone at the notification was
20 saying, that they hadn't seen any signs of depression, what
21 was your thought, then, about the cause or the reason for
22 the suicide?



1 A Yeah.

2 Q All right.

3 Then after you got this information from Spetz,
4 what did you do?

5 A We--well, we were waiting initially for Officer
6 Simonello to get there, and he got there a couple of minutes
7 after we did, and then we all went with, I think it was,
8 Officer Ferdstall who took us up to the scene.

9 I don't recall, I don't--for some reason I don't
10 think Officer Fornshil was still there because I think he
11 was working a Wolf Trap detail or something and he had to
12 respond to that.

13 But we went up and looked at the body and started
14 taking pictures.

15 Q Did you go to the body?

16 A Yes.

17 Yeah. We all walked up there.

18 Q Who started taking pictures?

19 A Officer Rolla was taking pictures with the
20 Polaroid, what we call backup photos, and Officer Simonello,
21 who is the ID tech, was taking the 35-millimeter photos.

22 Q Had the area been roped off?

1 A No, we didn't actually because of closing the
2 gate. That kept anybody else from coming into the area.

3 So we had actually a very broad perimeter, and
4 there--it's, the area where the body was was a good
5 probably, I'd say, like close to a quarter-mile walk from
6 the parking lot.

7 Q Did you drive up to that area?

8 A Not easily, no, because you have to go up a
9 little bit of a ravine and then it levels off a little bit
10 and then you go up a little further and it's all wooded and
11 some grass areas.

12 So it wouldn't be a matter of where you would be
13 able to drive up to where it was.

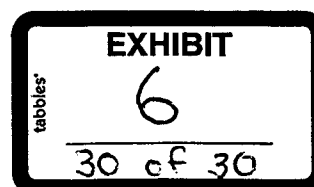
14 Q Okay. And did you see the body?

15 A Yes, I did.

16 Q What did it look like?

17 A It was laying on the slope of the hill, and it
18 was a fairly steep grade, you know, probably like 45
19 degrees. And the head was at the top with the legs
20 extending down and the arms by the side. And in his right
21 hand was the gun.

22 Q How close did you get to the body?



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explanations that it could have concerned managing the clearance process for Presidential nominees or status reports on White House pass issues. He said he and FOSTER mostly talked about nominations. FOSTER could also have been calling about lunch.

KENNEDY answered yes when asked if he and FOSTER were social friends. He said they did not see all that much of each other while in Arkansas, as he (KENNEDY) was single at the time versus FOSTER was married. He described his relationship with FOSTER as being close.

KENNEDY described FOSTER as a person you could trust and respect. He was an individual who, if you obtained his approval, it meant something. FOSTER was a real force at RLF. FOSTER was a private, closed-mouth individual. He was calm, measured, hardly ever got excited. FOSTER was good on his feet; a good trial lawyer. He generally had the respect of everyone in RLF. When asked if FOSTER had any weaknesses, KENNEDY said that FOSTER was difficult to get close to. He would not open up, which was "off-putting" to some people.

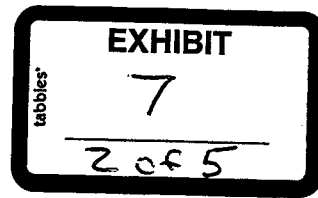
KENNEDY was asked if FOSTER's departure from RLF created any problems. KENNEDY answered yes. RLF was a partnership of 55-60 partners and FOSTER, WEBB HUBBELL and HILLARY CLINTON were thought of as the senior litigators of the firm. KENNEDY said the Litigation Section of RLF "took a hit" with the departure of these three individuals. There was a perception among clients that RLF was not as strong and lacked experience after these three left for Washington, D.C. KENNEDY believed that PHILLIP CARROLL, another RLF partner and mentor of FOSTER, was disappointed when FOSTER left RLF, but would not describe it as a "falling out." It was a feeling of the loss of a powerful part of the firm. KENNEDY did not believe the circumstances under which FOSTER left the firm would have made it difficult for FOSTER to come back. Normal politics in RLF and feelings of abandonment were there but it didn't rise to the level where FOSTER thought he couldn't go back. KENNEDY noted, however, that he did not recall in conversations with FOSTER that he (FOSTER) wanted to go back.

KENNEDY was asked if he observed any noticeable behavioral or emotional changes in FOSTER. KENNEDY said yes, he had noticed immediately upon arriving in Washington, D.C. that FOSTER had lost weight and seemed exhausted. He became more



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KENNEDY said that FOSTER coped with problems in his life by internalizing them. KENNEDY said FOSTER's hobbies included "puttering in the kitchen," family activities, visiting in Hot Springs, Arkansas and tennis. KENNEDY noted that FOSTER loved his children.

KENNEDY did not think FOSTER had any immediate financial problems and was not a gambler. He said that like others who had moved to Washington, D.C. from Arkansas, they had housing expense increases and in FOSTER's case, also children in college.

KENNEDY said he "had no indication" of extra-marital relationships of FOSTER. KENNEDY said the rumors regarding FOSTER and MRS. CLINTON had kicked around in Arkansas for years. Their origin was probably political enemies. It was no secret that VINCE FOSTER, WEBB HUBBELL and HILLARY CLINTON were good friends. FOSTER "hated" the rumors regarding himself and MRS. CLINTON. KENNEDY remembered a 1992 campaign comment FOSTER made that he (FOSTER) was considering not talking to the press because of these rumors. KENNEDY said MRS. FOSTER had to have heard these rumors.

KENNEDY said that FOSTER really had no one in his life in whom he would confide completely. KENNEDY listed FOSTER's closest confidants as HILLARY CLINTON, WEBB HUBBELL, LISA FOSTER, PHILLIP CARROLL, a partner at RLF and mentor of FOSTER, and other friends - BILL WOODYARD and WALTER HUSSMAN.

KENNEDY cannot recall VINCENT FOSTER ever making statements such as "I can't stand it anymore" or "I'd be better off dead." KENNEDY did recall FOSTER making one comment to him in the second week of June saying "he (FOSTER) was thinking about finding a job with less pressure." Another job in the administration with not as much strain. KENNEDY noted this was an amazing comment for FOSTER to have made to anyone. In hindsight, KENNEDY realizes that FOSTER was trying to tell him he needed help. Unfortunately, KENNEDY did not understand at the time and told FOSTER that he was invaluable in his present position. KENNEDY was unaware of FOSTER making similar statements to anyone else. KENNEDY said this was during the time period of the Travel Office matter and that the "Who is Vince Foster?" article in the Wall Street Journal was upsetting to FOSTER. Even though the assertions in the article were

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ludicrous, FOSTER realized that Arkansas people read the Wall Street Journal and being trashed in the Wall Street Journal meant being trashed in Arkansas. FOSTER lived his life to maintain his reputation.

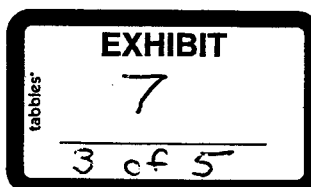
KENNEDY was asked if he was aware if FOSTER was experiencing any symptoms related to depression, such as changes in personal appearance, sleep difficulties, physical ailments, headaches, loss of appetite, indigestion or the like. KENNEDY replied that he knew FOSTER had lost weight but was unaware of any of the other symptoms. He said FOSTER was drawn and frowned and was working too many hours. FOSTER was working on the run and he was working under stress, as most in the White House were. At the time, it didn't surprise KENNEDY that FOSTER was losing weight. You could see someone beaten down, but those seeing it also were beaten down. Asked if he was aware if FOSTER had seen a physician, KENNEDY answered he could only recall FOSTER seeing a dentist on one occasion.

KENNEDY said FOSTER's reputation in Arkansas was excellent. The main reason KENNEDY was surprised FOSTER had gone to Washington with the President was that KENNEDY had seen FOSTER posturing himself for the position of President of the Arkansas Bar Association. KENNEDY expected FOSTER to run in 1993. KENNEDY said FOSTER was active in the Arkansas Repertory Theatre and fundraising projects, etc. FOSTER was extremely well thought of in the Arkansas community. KENNEDY felt FOSTER's reputation in Washington was becoming what it had been in Arkansas.

KENNEDY was asked about FOSTER cancelling his appearance to accept an award from the Arkansas Bar Association the day before the award was to be presented. KENNEDY said he had asked FOSTER about this and had received the reply that FOSTER had "too much to do." At the time, this explanation made sense to KENNEDY.

KENNEDY did not see any changes in FOSTER's desire to be around other people. However, FOSTER's work kept him pinned in place a lot of the time.

KENNEDY described FOSTER as not being a very religious person. FOSTER's religion was not manifested outwardly.



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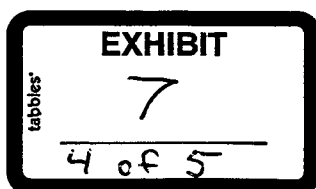
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KENNEDY described the White House routine for FOSTER as arriving at the White House about 8:00 a.m., attending a staff meeting at 9:00 a.m. and the day being filled with meetings or spent in his office. FOSTER would stay at the White House on many occasions until 10:00 or 11:00 p.m. On April 15, 1993, KENNEDY's family came to Washington and KENNEDY began the pattern of leaving the White House at about 7:00 p.m. with take-home work in his briefcase. When asked if FOSTER would leave the White House at mid-day, KENNEDY said that he and FOSTER would sometimes have lunch outside the complex with people from Arkansas, but that that was a rarity. Most of the time was spent in the White House. Lunch was taken at the White House mess or at a local nearby restaurant.

On the day of VINCENT FOSTER's death, KENNEDY got home at about 7:15-7:20 p.m. He received a telephone call between 8:15 and 8:30 p.m. from CRAIG LIVINGSTONE, Director of White House Personnel Security. LIVINGSTONE worked for KENNEDY at that time. LIVINGSTONE had gotten a call from "an inspector" that FOSTER was dead. KENNEDY said he was "stunned" at the news. LIVINGSTONE had been advised of the FOSTER death by law enforcement because of his title and job responsibility. KENNEDY said he didn't believe the news and told LIVINGSTONE he needed confirmation. LIVINGSTONE called back to say he had confirmed the death and reported that the death was thought to be a suicide in a park. The body was enroute to a hospital (name not recalled by KENNEDY). KENNEDY said that he (KENNEDY) had to go to the hospital. KENNEDY did not notify anyone else at the time. Shortly after his arrival at the hospital, LIVINGSTONE also arrived. They confirmed with a policeman on duty at the hospital that the FOSTER body was there and that the matter involved the U.S. Park Police. Hospital officials finally allowed LIVINGSTONE and KENNEDY to view the body and they confirmed that it was VINCENT FOSTER. KENNEDY tried to notify MCLARTY but couldn't get through to him at first but finally was successful in reaching him at the White House. MCLARTY had already been informed of the death. KENNEDY also believes that he made a telephone call to his boss, BERNARD NUSSBAUM. NUSSBAUM told him he was going to the FOSTER house and KENNEDY decided to go also. KENNEDY said that he was trying to convey that he was very upset on the night of FOSTER's death.



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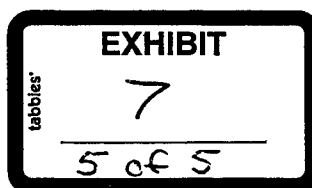
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KENNEDY was asked to suggest other individuals who should be talked to concerning the FOSTER investigation. KENNEDY named the following individuals: LISA FOSTER; at least the two older FOSTER children who are now adults; BERNARD NUSSBAUM, who spent more time with FOSTER than KENNEDY did; WEBB HUBBELL; MACK MCLARTY; BRUCE LINDSEY; and when questioned, added the name HILLARY CLINTON. When asked why he did not originally list MRS. CLINTON, KENNEDY said he had omitted her name because of the demands on her time at the time of FOSTER's death. She did not have a great deal of contact with FOSTER at that time.

KENNEDY said he knew of a phone call between FOSTER and BRANT BUCK. BUCK was the primary draftsman for a blind trust for the President and First Lady. FOSTER had acted as the go between by being the carrier of information to BUCK. BETH NOLAN was also assisting with this matter. BUCK has told KENNEDY that he called FOSTER because he wanted FOSTER to "bug" the President to sign transmittal documents for the trust.

KENNEDY said he did not know the purpose or content of JIM LYONS' call to FOSTER.

KENNEDY was asked about FOSTER's view of KENNEDY's involvement in the Travel Office matter. KENNEDY said that FOSTER was very upset that KENNEDY got reprimanded. FOSTER had been heavily involved and felt strongly regarding the FBI leaks in this case. FOSTER came to the conclusion that he couldn't trust anyone in Washington, D.C. He was worried about KENNEDY's emotional health.



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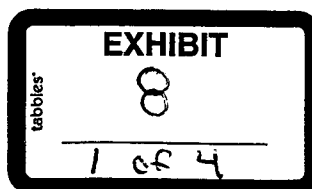
ANTHONY during this same phone call was to ask ANTHONY to recommend a place on the Eastern Shore of Maryland where he and his wife could go that weekend. ANTHONY told FOSTER that she would check with her husband and call FOSTER back. ANTHONY later called LISA FOSTER and recommended two or three places on the Eastern Shore where the ANTHONYS had previously stayed. ANTHONY also called a friend who had received treatment from a psychiatrist in the past. The friend provided ANTHONY with the name of one psychiatrist. The friend later called ANTHONY back approximately thirty minutes later and furnished ANTHONY with the names of two additional psychiatrists.

ANTHONY called one of the psychiatrists and asked how she could structure a visit to him so that the visit would be unrecorded until FOSTER could decide whether to start a course of treatment. ANTHONY then called FOSTER back that same day and furnished him with the names of the three psychiatrists. She encouraged FOSTER to make an appointment with one of the psychiatrists, but he said that he wanted to think about that course of action over the weekend.

ANTHONY does not believe that she ever spoke to LISA FOSTER about FOSTER's statement that he was battling depression. She remembers speaking with LISA FOSTER about trying to get FOSTER to leave work earlier during the week or to go away on weekends. ANTHONY recalls that LISA FOSTER wanted FOSTER to come home more.

ANTHONY believes that LISA FOSTER came to Washington, D.C. to look for a family house in March 1993. LISA FOSTER continued to travel back and forth between Little Rock, Arkansas and Washington, D.C. in an effort to prepare the house so that it would be ready for her family to move into it. LAURA FOSTER, FOSTER's daughter, came to Washington, D.C. when her school semester was over, which was possibly in April 1993. FOSTER's youngest son was still attending school in Little Rock. The FOSTER family also had a foreign student living with them in Little Rock at that time. LISA FOSTER came to Washington, D.C. permanently in mid to late May 1993.

On July 19, 1993, possibly in the morning, ANTHONY called FOSTER. FOSTER stated that he was feeling good and that the weekend had gone pretty well. FOSTER said that he was not yet ready to see a psychiatrist in Washington, D.C., but he told



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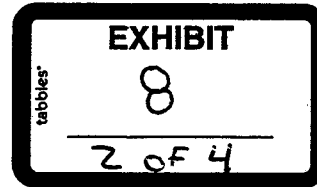
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ANTHONY that he had called his physician in Little Rock and had gotten a prescription. FOSTER did not tell ANTHONY anything further about the preceding weekend. FOSTER said that going away from the city was such a good idea that he would like to do it more often or possibly every weekend.

To the best of ANTHONY's knowledge, FOSTER was not receiving any type of medical treatment.



ANTHONY has no knowledge of FOSTER having any financial difficulties, problems with gambling, or any type of extramarital involvement. In terms of identifying a person in whom FOSTER would confide, ANTHONY hopes that FOSTER would have confided in either herself or his wife. FOSTER also had a number of close friends in the Rose Law Firm. However, FOSTER, although known to be a good listener, was a very private person. ANTHONY does not believe that FOSTER was close to either a minister or a priest. FOSTER did not attend church very often after he grew up except for certain family occasions.

At the last dinner which FOSTER shared with ANTHONY, FOSTER confided to her that he was considering resigning from his post at the White House. FOSTER indicated that the job in the White House Counsel's office was not right for him. FOSTER was not specific about what was causing him to consider resignation. Among the reasons that became apparent to ANTHONY were the Travel Office investigation, the stress of his job, and the constant overwork. ANTHONY hoped that FOSTER would choose to resign the position.

In terms of changes in personal appearance, ANTHONY noted that FOSTER's face had become gray and drawn. FOSTER had

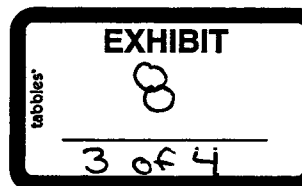
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been thin when he arrived in Washington but had gained a significant amount of weight while working at the White House. ANTHONY believes that the weight gain may be at least partly attributable to the fact that FOSTER was not eating well and was eating quite a bit of fast food due to the overwork situation. FOSTER began to lose weight during the last six weeks prior to his death and weighed much less than he had weighed in January 1993. However, ANTHONY is unable to estimate the amount of weight FOSTER lost in terms of pounds. FOSTER did not mention to ANTHONY any problems with headaches, loss of appetite, indigestion or vomiting.



Among the activities which FOSTER engaged in to relax was reading. FOSTER had a swimming pool in the back yard of his home in Little Rock, and he and the family enjoyed swimming in their pool. FOSTER also enjoyed cooking and traveling, and he took his family on numerous trips. FOSTER did not participate in many sports, but he enjoyed attending his childrens' games and watching them play. ANTHONY did not observe any recent changes in FOSTER's interests or hobbies after he arrived in Washington.

FOSTER typically worked Monday through Saturday each week. On alternating Sundays, either FOSTER or BERNARD NUSSBAUM was on standby duty to be available to deal with matters which arose at the White House Counsel's office.

In terms of describing FOSTER's relationship with his wife, ANTHONY regarded it as warm and real. FOSTER was married to LISA FOSTER for approximately twenty-five years. ANTHONY regarded FOSTER as an excellent father who spent much time with his children. In particular, FOSTER was very conscientious about spending time with each of his children so that they each received individual attention. FOSTER would occasionally take one of the children on a trip with him just so the child could receive this individual attention. FOSTER was very interested in everything that his children did.

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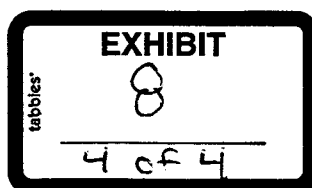
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In terms of describing FOSTER, ANTHONY believes that he was a man of great integrity and honesty. He also had a dry sense of humor. FOSTER felt very strongly about giving back to the community in which he lived and he was involved in charitable organizations in Little Rock. The only occasion known to ANTHONY when FOSTER ever got into trouble occurred when he was in college and he wrecked a car.

FOSTER was able to blend in at the Rose Law Firm because the firm shared many of his positions on social issues. For example, the Rose Law Firm had taken a stand against racial segregation. FOSTER had worked for a black attorney during one of his summers while attending school. FOSTER had a very strong sense of fair play and he was a very thoughtful person who was always gracious to his family and friends. FOSTER particularly enjoyed hosting friends and social events at his home. FOSTER also counseled both of ANTHONY's children, but only when they came to him first for advice. In all their lives together, ANTHONY and FOSTER never had a cross word, and she knows absolutely nothing bad about FOSTER.

To the best of her knowledge, ANTHONY is not aware of any incidences of FOSTER going to parks in the Washington, D.C. area. FOSTER never mentioned to ANTHONY any visits to Fort Marcy Park in Virginia. Following FOSTER's death, ANTHONY read in the newspaper that FOSTER had driven a Honda automobile to Fort Marcy Park on the date of his death. FOSTER did not have the Honda automobile with him when he lived with ANTHONY initially following his arrival in Washington, D.C. ANTHONY recalls that the Honda was dark in color since she subsequently saw the automobile in front of FOSTER's residence.

ANTHONY is aware of a letter which FOSTER sent to his mother from his office shortly before his death. ANTHONY was with her mother on the day when she opened the letter from FOSTER. The letter from FOSTER concerned oil leases which had been passed on to FOSTER's mother from her late husband's estate. In attempting to recall what was in the envelope, ANTHONY now believes that there was an extremely brief cover letter which had been typewritten, and which contained one to two sentences asking FOSTER's mother to sign the enclosed form and return it to the oil company. The cover letter bore the handwritten signature of FOSTER.



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SUPPLEMENTAL CRIMINAL INCIDENT RECORD

JUVENILE CASE

13828
FEDERAL AREA

JULIAN
0-311
OCCUR

MO DAY YR YEAR CASE-INCIDENT NUMBER

United States Park Police

0 7 27 93 3 9 3 - 0 3 0 1 5 1 0 2 1

NATURE OF INCIDENT

RECLASSIFICATION OF INCIDENT

Death Investigation

RESULTS OF INVESTIGATION

ITEM

Investigator John C. Rolla 07/27/93

On 07/27/93 myself and Captain Hume conducted an interview with Mr. Berl Anthony concerning case number 93-30502, death investigation of Vincent FOSTER, Jr.

Mr. Anthony is the brother-in-law of Vincent Foster, Jr. Mr. Anthony stated that he has known Vince Foster for thirty-five years. Mr. Anthony is married to Mr. Foster's sister Sheila. Mr. Anthony stated that he and his wife were very close to Vincent Foster and that Vince Foster had lived with he and his wife for ninety days when he first came to Washington, D.C. Mr. Anthony stated that he and his wife had noticed a gradual decline in Mr. Foster's general disposition to the point of depression. Mr. Anthony stated that Mr. Foster was not handling the politics in Washington, D.C. very well and blamed himself personally for the failed nominations for Attorney General and some of the sub-Cabinet posts. Mr. Foster also was very upset over some unfavorable articles printed by the Wall Street Journal in the last several weeks and seemed to take them personally. Mr. Anthony stated the Mr. Foster was also concerned about his legal advice and his role in the firing of seven White House travel office aides, aka (Travelgate).

During the month preceding Mr. Foster's death, Mr. Anthony stated that he and his wife noticed that Mr. Foster's depression had become increasingly worse and became very worried about Mr. Foster's well being. Mr. Anthony stated that he believed his wife had given Mr. Foster a list of three counselors, psychiatrists or other doctors who do counseling. Mr. Anthony stated that during a conversation approximately three weeks prior to Mr. Foster's death, Mr. Foster made a comment to the effect, I have spent a lifetime building my reputation and now I am in the process of having it tarnished.

Mr. Anthony stated that the last time he spoke to Mr. Foster he believed was the morning of July 12, 1993. Mr. Foster had called him and stated that he was worried that there might be a Congressional inquiry into the above mentioned firings of seven White House travel office aides. Mr. Foster asked Mr. Anthony to refer him to an attorney. Mr. Anthony stated that he thought this an odd request because Mr. Foster was a man who kept his own counsel and was not open even with the people who knew him best. Mr. Anthony stated that he got some information together on six different attorneys and it was taken by courier to Mr. Foster's residence on July 15, 1993 at 6:50 pm.

WARRANTS

YES
 NO

LATENTS
 PHOTOS

1018 TECH NOTIFIED

11 INVESTIGATOR NOTIFIED

12

PAGE 1 OF 2 PAGES

13 STATUS OPEN

SUSPENDED

CLOSED BY

DESCRIPTION

UNFOUNDED

14 REPORTING OFFICER

SADGLNO

DATE

15 INVESTIGATOR

SADGLNO

DATE

16 NUMBER

SADGLNO

DATE

EXHIBIT

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EXHIBIT 7
COMMENCEMENT ADDRESS
BY
VINCENT W. FOSTER, JR.

AT
THE LAW SCHOOL
UNIVERSITY OF ARKANSAS
FAYETTEVILLE, ARKANSAS

MAY 8, 1993

There are rare and wonderful occasions when one of the giants in the legal profession articulates a vision of what lawyers ought to be. Those words should be read, reread, treasured and heeded. Such was the vision Vincent Foster captured for all of us in his commencement address to the graduating class of the University of Arkansas School of Law on May 8, 1993, a school where 22 years before he graduated first in his class.

E. Lamar Pettus
President
Arkansas Bar Association



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400 W. MARKHAM
LITTLE ROCK, ARKANSAS 72201

EXHIBIT

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ROADS WE SHOULD TRAVEL

COMMENCEMENT ADDRESS

BY VINCENT W. FOSTER, JR.

Dean Strickman, Dr. Leflar, honored faculty of the University of Arkansas School of Law, class of 1992, family and friends, I cannot tell you what a thrill it is to return to these beautiful hills and celebrate with you the completion of your law school career.

It is humbling for me to deliver this message from a stage shared by so many outstanding teachers, many of whom taught me well. What a challenge it is for any commencement speaker, let alone this one, to attempt to develop and convey to you an uplifting message with my staying power whatsoever, knowing full well the wide range of emotions which are preoccupying you at this moment: Your senses of achievement, appreciation, satisfaction, relief, survival and perhaps apprehension; and particularly some sense of impatience for this speaker to get on with it, deliver his remarks so that you may receive congratulations from your family and friends.

Governor Cuomo reports that when he was first asked to speak at a graduation he sought advice out from Father Flynn, then the president of St. John's University. Commencement speakers, said Father Flynn, should think of themselves as the body at an old-fashioned Irish wake. They need to have you there in order to have the party but they don't expect you to say much.

When Dean Strickman, in Washington a few weeks ago, conveyed to me the invitation, I protested that I was not only unworthy of the honor but unprepared for the experience.

You see, I skipped my commencement ceremonies some 22 years ago. This is the first law school exercise that I have ever attended.

The law school commencement at that time was a mass joint enterprise with all the other schools on campus, and since I have not been much on ceremony, and since I felt I knew everything there was to know, I rationalized that I should rush to Little Rock to assume my new job and save on the rental gown. My wife, Lisa, who put me through law school with much personal, professional and financial sacrifice, would have been relegated to the balcony and did not object.

Maturity and experience have taught us that we were wrong. We had much to learn and time to spare. We could have benefited from one last celebration with our professors and our friends and families, and we would have profited by pausing one more time to think about where we had come from and where we were going and what roads we should travel.

This invitation has caused me to stop this hectic and challenging adventure I am on in Washington to think about the roads I have traveled to get there and the roads I wish I had traveled. This reflection has focused me on some turmoil on the roads before you – the choices and opportunities and challenges you will have as lawyers of this time and place in history.

I congratulate you on this achievement. You have sacrificed a considerable amount of your time on earth. You have mastered a strange new language. You have postponed the start of your vocation. You've experienced a full measure of peer competition. You've been swept up in rapid rumors in job opportunities and job conditions. You've changed your daily work ethics, and you have forgone many of life's simple pleasures. Some of you have earned special recognition this afternoon, and we all congratulate you.

But, tomorrow, my friends, the slate is wiped clean again. Prospective clients don't inquire about class rank. The local bar association you will join does not have a special class of membership for law review staffs. Judges and jurors will not ask to see your resume.

You will be evaluated instead by your product, your energy, your temperament and your backbone. The reputation you develop for intellectual and ethical integrity will be your greatest asset or your worst enemy. You will be judged by your judgment.

The practice of law you've already learned does not lend itself to true-and-false analysis. If the problem is black or white, the client does not need a lawyer.

Instead, your challenge will be to use your education and all your life's experiences to exercise good judgment to select from among the shades of gray.

Practice law with excellence, with pride in your product. Treat every pleading, every brief, every contract, every letter, every daily task as if your career will be judged on it.

Each client is entitled to your best effort. Practice law with a heart. The clients you represent will remember you long after you have forgotten their names. While routine for you, what you are doing for them may be the most important thing in their lives.

For most, you'll be the only lawyer they will ever come into contact with, and they form their perception of our justice system and your profession on how you treat them as a person and the quality of your work.

Practice law with consideration and courtesy. No matter how righteous the cause or clear your victory,

ensure that your adversary with his or her client leaves with dignity.

As Judge Perry Whitmore in Little Rock used to tell us, you can disagree without being disagreeable. Besides, your adversary today may be your judge tomorrow.

Following the bar exam, your most difficult test will not be of what you know but what is your character. Some of you will fail.

The class of 1971 had many distinguished members who also went on to achieve high public office. But it also had several who forfeited their license to practice law. Blinded by greed, some served time in prison.

I cannot make this point to you too strongly. There is no victory, no advantage, no fee, no favor which is worth even a blemish on your reputation for intellect and integrity.

Nothing travels faster than an accusation that another lawyer's word is no good. A judge who catches you in a disingenuous argument or a mis-characterization of a case will turn hard of hearing when you next show up to argue.

Dents to the reputation in the legal profession are irreparable. Every lawyer I know carries around a mental black book which is recorded in indelible ink the names of his adversaries who breached the presumption of good-faith dealing.

Each of you, I hope, will strive always to set your professional goals and your personal goals out there just barely at the end of your reach. Stretch your talents, grasp beyond the closest branch, take a risk, stick your neck out, speak your mind, challenge the status quo and conventional wisdom. Do not just accept responsibility. Chase it down.

You will have failures and disappointments. Take comfort in knowing that opinions of those who really matter will never be as forgiving of your failures or as admiring of your victories as they are at this stage of your career.

Sometimes doing the right thing will be very unpopular with your other clients and with the pundits at the local coffee shop. When the heat of controversy swarms around you, the conviction that you did the right thing will be the best salve and the best sleeping medicine.

Listen to each other; listen to older lawyers. If I could have one wish for each of you, it would be to find a mentor who will bring you along, and whose values will be the ones you admire and absorb. In my experience, that is the critical key to professional success and happiness.

Even with such a mentor you will go home some nights feeling like you never want to practice again - the way you've done here after an exam or a Moot Court argument went badly.

But you will go home other days anxious to get back again and slay the dragon. In a few short years you will be a mentor to some new lawyer. Start preparing now to be a good one, to be the kind of mentor that you would want for yourself. Strive to be a lawyer whom other lawyers admire.

Along the way you will receive recognition for achievement, a complimentary newspaper article, an award, a plaque, and if the gods are with you, maybe even a commencement address. When you smile for the camera and bask in the applause and take your bow, pause and reflect and recognize who helped you get there. Your spouse, your law partner, your parents, your friends.

Because there will also be failures, and criticisms and bad press and lies, stormy days and cloudy days, and you will not survive them without the support of those same spouses, law partners and friends. So it is.

I pause: Three weeks ago my wife, Lisa, and I celebrated our 25th anniversary, and it was here in Fayetteville in law school where we celebrated our first. Like many in this audience, she began by putting me through law school. For 22 years she has always encouraged me to persevere and aim higher. She has been my editor, my jury consultant and my best friend. I wish for all of you, a Lisa.

A word about family: You have amply demonstrated that you are achievers willing to work hard, long hours, to set aside your personal lives. It reminds me of that observation that no one was ever heard to say on their death bed, I wish I had spent more time at the office.

Balance wisely your professional life and your family life. If you are fortunate to have children, your parents will warn you that your children will grow up and be gone before you know it. I can testify that it is true. God only allows us so many opportunities with our children to read a story, go fishing, play catch, say our prayers together. Try not to miss a one of them. The office can wait. It will still be there when your children are gone.

This ceremony is called a commencement because it's a new journey. Your law school studies are completed, but your education is just under way. Continue to study, but don't limit your studies to the law. If you strive to become a great lawyer, you must be more than a lawyer.

We are defined as persons and lawyers by the depth and variety of our experiences. Continue to broaden your horizons. Read religiously - works other than law.

Travel. By all means travel every chance, everywhere you can. Travel the back roads, not the interstates. Mingle with those of different backgrounds and cultures and ages.

Quietly observe your fellow man. Sit still and listen to those who are different from you. Look and listen for the values that you share, which you have in common.

EXHIBIT

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tolerance does not come naturally to any of us. You must work at it. We all must work harder at it.

Take time out for yourself. Have some fun, go fishing, every once in a while take a walk in the woods by yourself. Learn to relax, watch more sunsets. Those of us who do not have your life planned out, don't worry, wouldn't turn out the way you planned it in any event.

I know there is a tendency to want a job with the expectation that it will be your sole life's work, but I hope that does not prove to be the case for you.

Having waited 22 years to make my first career change, as satisfying and successful as that first career was, today I would travel a number of different routes instead.

I hope you will consider trying the wide variety of professional opportunities that the practice of law will offer you. Spend some time in public service, whether as an assistant to the prosecutor or a public defender, or a legal service program. Or go to Washington and work for a congressional delegation or one of the federal agencies. Or go to your state capitol and work for a state agency or state commission. Or run for the legislature, school board, city council, or teach at your community college.

But whatever you do, choose a professional life that satisfies you and helps others. If you find yourself getting burned out or unfulfilled, unappreciated or the profits become more important than your work, then have the courage to make a change.

Public service, even volunteer service, presents difficult choices for you, I know. Those of you who have student loans, have deferred buying homes, and deferred other material objects, and you are anxious about the debt, you are anxious about the job market. I understand. But there will be ample time and opportunity for you to make a good living.

But it won't be enough for you to make all the money you can. No matter how successful you are financially, your professional lives will be unhappy if you do not devote some measure of your task to improving your profession and your community. You can do good and still do well.

The First Lady said it best recently. She said service means you get as well as you give. Your life is changed as you change the life of others. It is the way we find meaning in our lives.

Now, I am not under any illusion about why I was invited here today. I know that 48-year-old commercial trial lawyers are not on the short list of graduation speakers. It must have something to do with my recent job change.

That job change has either added credibility to my voice or made me somewhat of a curiosity. And some would ask what motivates one with a comfortable practice in a prominent law firm, to dislodge his family for a new job with longer hours, with half the pay, in a

city that costs twice as much to live.

But the reason I am on this new adventure in Washington is because our country is in transition. The people, the citizens, have demanded a change in our government. They are talking back to it in record numbers. The President receives almost a million letters a month. The White House phone lines are jammed.

Middle-aged Americans all over this country are volunteering to join the administration, to leave lucrative practices and businesses, and to participate in changing our government. Washington is teeming with young people just like you, from all over this country, from all walks of life, who have a sense of a common purpose and desire to be involved.

When we leave work at night, we pull up to a large heavy gate that surrounds the White House complex. While the Secret Service guards slowly open that gate, I always look to my right, and inevitably there are dozens of people aligned along that iron fence that runs along Pennsylvania Avenue, holding on the bars, peering through intently at the White House lit in the background.

When I look into their faces, I can tell that each has hope for something from their government. It is a wonderful reminder of why we are there. I am more encouraged than I have ever been that the pendulum has begun to swing back; that there is a renewed spirit of common purpose; that Americans, particularly your generation, are again acknowledging that it is the duty of all of us to use all that we have been given to make this a better world, not just for ourselves or our families, but for everyone on this earth.

In my job I have now found myself surrounded by young people just like you, who have energized me with their vigor, their optimism, their new ideas. I sense that same spirit in this auditorium today, this auditorium made for optimists and doers.

I have the feeling that you are believers and doers who will make something better of what we have handed you. You are the reason for hope because you can be the agents for change - change of your community and change of your legal profession.

The President last week addressed a group just like you. And he said, "Our country needs you. We need your knowledge, your initiative and your energy. We need you because you are still free of the cynicism that has paralyzed too long your parents and your grandparents who led us to spend too much time talking about what we can't do, instead of seizing what we can do."

Like those people along the iron fence on Pennsylvania Avenue, I look into your faces and I see your potential to restore responsibility to our profession and to our society. I see your potential to restore a sense of community, to use your talents to help others and to be fulfilled. God bless you and good luck to you.

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CONFIDENTIAL

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Continuation of FD-302 of LORAIN WOLFE CLINE, On 5/18/94, Page 2

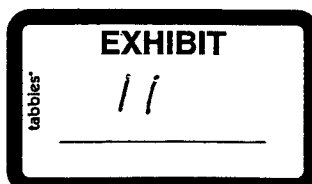
suicide. CLINE said it was very traumatic for her.

CLINE advised that FOSTER always worked very long hours. LISA FOSTER would occasionally call him during the day and CLINE never got any inkling that LISA was trying to find out if FOSTER was alright. She was not aware of any difficulties that they may have been having financial or otherwise.

CLINE advised that there were never any bad rumors about VINCE FOSTER whatsoever. There were rumors about others in the ROSE LAW FIRM, but never about FOSTER. He had a happy marriage and he loved his family very much. He loved to cook, he did some gardening, he liked to swim. She is not aware that he collected anything and based on a visit or two to his home, did not observe any guns in his residence. She noted that he was not the gun type, meaning not an outdoorsman.

With regard to rumors about an extra-marital affair between FOSTER and HILLARY CLINTON, CLINE said that she knew nothing about it until FOSTER himself told her that there were such rumors. He was telling people about it because he wanted his family and her and others at the law firm to hear it before they read about it in the press. She believes that there is absolutely no truth to the rumors.

CLINE saw FOSTER on May 8, 1993, as he gave the commencement address at his old Law School. He acted excited and "up" and looked good. CLINE last saw FOSTER on May 22, 1993 when she travelled to Washington, D.C. for a weekend with other secretaries from the ROSE LAW FIRM. The group had lunch with FOSTER at The White House Monday before they left. At that time, CLINE observed no personality changes in FOSTER but noticed that he had lost some weight. The only conversation she recalls having with him during the lunch at The White House was an exchange where she asked him, "Are you having fun yet?", and he responded, "Well it's an experience. We have one 'gate' after another." She was aware that there had been critical articles in the Wall Street Journal about FOSTER. She knew them to be lies and they did not discuss the article. She observed that FOSTER was not accustomed to being criticized. He wanted to serve his country and give back what society had given to him. It seemed that he was bound to have been hurt and disappointed. She last spoke with him, by telephone, the later part of June. She still did not note any changes in him at all.



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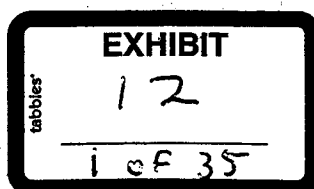
**Report of the
Independent Counsel
In Re
Vincent W. Foster, Jr.**

*Washington, D.C.
June 30, 1994*

**Robert B. Fiske, Jr.
Independent Counsel**

**Roderick C. Lankier
Deputy Independent Counsel**

**Mark J. Stein
Carl J. Stich, Jr.
Associate Independent Counsel**

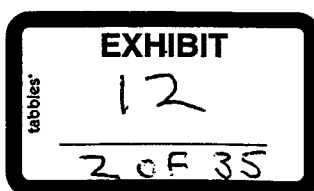


THE INVESTIGATION

Roderick C. Lankler directed the Independent Counsel's investigation into Foster's death. For eight of his thirteen years in the Manhattan District Attorney's Office, Mr. Lankler served in the Homicide Bureau, investigating and prosecuting murder cases. He was assisted in this investigation by Associate Counsels Mark Stein and Carl Stich. Russell Hardin, Jr., also an Associate Counsel, reviewed and analyzed the evidence compiled during this investigation. Mr. Hardin is a former Assistant District Attorney in Houston, Texas who has also investigated and tried numerous homicide cases.

The Federal Bureau of Investigation ("FBI") provided substantial and invaluable support in this investigation. The FBI assigned seven experienced agents to the Independent Counsel's Washington Office, all of whom have worked exclusively with this Office for approximately the last four months. Assistance was also provided by representatives of the FBI's National Center for the Analysis of Violent Crime. In addition, experts in the FBI Laboratory performed a thorough analysis of the available evidence.

In the course of the investigation, this Office interviewed approximately 125 people. Those interviewed included numerous close friends and relatives of Foster, who provided insight into Foster's activities and state of mind during the weeks



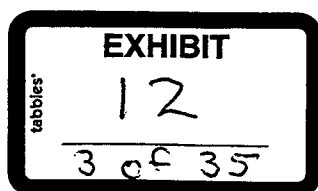
This Office was also assisted by Dr. Joel E. Kleinman, M.D., Ph.D., a respected psychiatrist. Dr. Kleinman is the Deputy Chief of the Clinical Brain Disorders Branch and Chief of the Neuropathology Section at the Intramural Research Program, National Institute of Mental Health, Saint Elizabeth's Hospital, Washington D.C. He is also a Clinical Professor in the Department of Psychiatry and Behavioral Sciences and Department of Neurology, George Washington University School of Medicine.*

SUMMARY OF CONCLUSIONS

On the afternoon of July 20, 1993, in Fort Marcy Park, Fairfax County, Virginia, Vincent W. Foster, Jr. committed suicide by firing a bullet from a .38 caliber revolver into his mouth. As discussed below, the evidence overwhelmingly supports this conclusion, and there is no evidence to the contrary. This conclusion is endorsed by all participants in the investigation, including each member of the Pathologist Panel.

We found no evidence that issues involving Whitewater, Madison Guaranty, CMS or other personal legal matters of the President or Mrs. Clinton were a factor in Foster's suicide. While Foster did confide to family and friends in the weeks prior to his death that certain matters were troubling him, we have learned of no instance in which Whitewater, Madison Guaranty, CMS, or other possible legal matters of the Clintons were mentioned. Moreover,

* The curriculum vitae for Dr. Kleinman is attached as Exhibit 4.



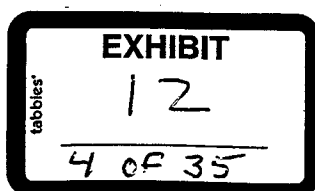
B. Foster's State Of Mind During The Weeks Prior To Suicide

Foster's position at the White House generally demanded that he work from between 7:30-8:30 in the morning until 9:30 or later at night, either six or seven days per week. He took no vacation or weekends off until the weekend immediately prior to his death. The demands of the Counsel's office were severe, and Bernard Nussbaum heavily relied upon Foster to assist him in accomplishing a wide range of tasks. Friends and associates recall that in the last two to three months prior to his death, he showed signs of stress and had virtually no time to relax in the ways that he had in Arkansas.

In the last six to eight weeks of his life those close to Foster observed that he appeared exhausted much of the time, his face drawn and grey. He confided to some that he was having difficulty sleeping, and on certain mornings commented that he had not slept at all.* Although no one noticed a loss of appetite, it was obvious to many that he had lost weight. In the last few weeks of his life Foster seemed uncharacteristically fretful, and more quiet and subdued than usual. Family members noted that he had lost his sense of humor and appeared distracted. Lisa Foster described him as constantly worried and under stress.

Bernard Nussbaum noted a marked decrease in Foster's productivity in the weeks prior to his death. During his first few months in Washington, Foster actively involved himself in most of

* Foster had a prescription for sleeping pills but did not want to take them for fear of becoming addicted.



Foster's views about the importance of reputation are reflected in his commencement address to The University of Arkansas Law School at Fayetteville, Arkansas, on May 8, 1993. Many of those interviewed referred to the speech as a source of insight into Foster's attitudes. On the topic of reputation Foster told his audience:

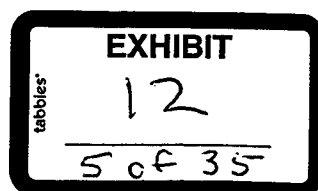
The reputation you develop for intellectual and ethical integrity will be your greatest asset or your worst enemy. . . . Treat every pleading, every brief, every contract, every letter, every daily task as if your career will be judged on it. . . . I cannot make this point to you too strongly. There is no victory, no advantage, no fee, no favor which is worth even a blemish on your reputation for intellect and integrity. Nothing travels faster than an accusation that another lawyer's word is no good. . . . Dents to the reputation in the legal profession are irreparable. . . .*

Sheila Anthony recalls that during his address Foster's voice was unnaturally strained and tense, reminiscent of their father's voice when he was distraught during the period before his death in 1991.

Foster's distress about adverse publicity is plainly reflected in the torn note found in his briefcase. In reference to the Journal editorials, he wrote that "The WSJ editors lie without consequence." He concluded the note by stating, "I was not meant for the job or the spotlight of public life in Washington. Here ruining people is considered sport."**

* The full text of the address is attached as Exhibit 7.

** Foster also exhibited distress over criticism received by the Administration regarding matters in which he was involved. For example, he was actively involved in the selection of a nominee for United States Attorney General. On the night that Zoe Baird

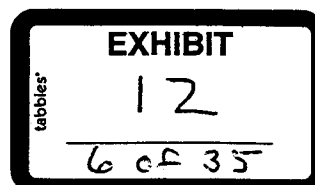


Telephone records reflect that in the early afternoon of July 16, Foster made two calls to one of the psychiatrists recommended by his sister. At 12:41 p.m. and again at 1:24 p.m., Foster called the psychiatrist from the telephone in his office, and charged the calls to his home telephone. Each call lasted one minute or less.* The psychiatrist called by Foster often uses an answering machine during the lunch hour when no one is in the office. It is possible that Foster reached the answering machine and did not leave a message. Neither the psychiatrist that Foster attempted to reach nor the other psychiatrists recommended by Sheila Anthony ever spoke with Foster. The list of psychiatrists was found on a piece of paper in Foster's wallet following his death.

During the same telephone call in which Foster told Sheila Anthony that he was depressed, he asked her to recommend a place he and his wife could go to relax for the weekend. She called Lisa Foster with two or three possibilities, and Lisa Foster made arrangements for them to go to an inn on Maryland's Eastern Shore. Before they left, Foster told his wife that he was depressed, and she could tell that he was still under great stress while they were driving through Maryland.

Coincidentally, Webster Hubbell and his wife were also on the Eastern Shore of Maryland for the weekend staying with friends, Michael and Harolyn Cardoza, who also knew the Fosters. On

* Calls of less than one minute are reflected on a telephone bill as one minute in length.



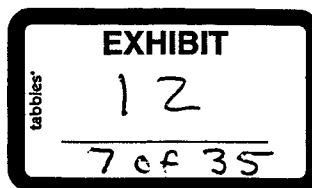
9:00 a.m. Counsel's Office staff meeting.* Following the meeting, Foster went to the White House Rose Garden to attend the ceremony announcing the selection of Louis Freeh as Director of the FBI. Foster then returned to his office.

Later that morning, Foster walked into Nussbaum's office, where Nussbaum was watching television coverage of two events: the Freeh nomination and Ruth Bader Ginsburg's Supreme Court confirmation hearings. Nussbaum was exuberant about both nominations. He said to Foster, "We hit two home runs today." Foster seemed distracted and his response was markedly understated.

At approximately 12:00 noon, Foster asked Linda Tripp, an Executive Assistant to Nussbaum, to get him lunch from the cafeteria. A short time after Tripp went to the cafeteria, Thomas Castleton, an employee in the Counsel's Office, arrived at the cafeteria and told Tripp that Foster had sent him to find out what was taking so long. Tripp delivered Foster's lunch and added some M & M's to the tray. Foster sat on the couch in his office and ate his lunch while reading the newspaper. At about 1:00 p.m., he came out of his office holding his suit jacket, without a briefcase. He told Tripp that there were still some M & M's on the tray if she wanted them. He said, "I'll be back," and then left.

Foster did not return to the White House. A number of people tried unsuccessfully to reach him by telephone. C. Brantley Buck, Foster's former partner at the Rose Law Firm, called to

* Nothing of significance to the issues of this Report occurred during that meeting.

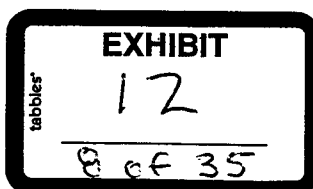


discuss finalizing work that Buck had been doing to set up a blind trust for the Clintons. Foster, who was acting as Buck's contact point at the White House, was supposed to have the Clintons sign some documents to complete the process. Buck stated that there was nothing about the blind trust that would have provided a source of concern to Foster, nor did Foster ever express any such concern.

James Lyons called to finalize plans for his meeting with Foster, scheduled for the following day. Gordon Rather, an attorney from Little Rock, called to discuss a routine matter regarding the American Board of Trial Advocates. A number of people within the White House also tried to reach Foster to discuss ongoing White House projects with which Foster was involved.

We have been unable to determine where Foster went following his departure from the Counsel's Office at about 1:00 p.m. We have also been unable to determine with certainty when Foster entered Fort Marcy Park. One motorist traveling on the George Washington Memorial Parkway saw a Japanese-made car driven by a white male swerve from the left lane of the Parkway into Fort Marcy Park some time between 2:45 and 3:00 p.m. on the afternoon of July 20. When interviewed shortly after Foster's death, the motorist told the Park Police that he recalled that the license plate on the car was from either Arkansas or Ohio. When he was recently shown pictures of Foster's car, the motorist stated that he did not believe that it was the car he saw on July 20 because

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the license plate he saw identified the State in the lower right hand corner of the plate.*

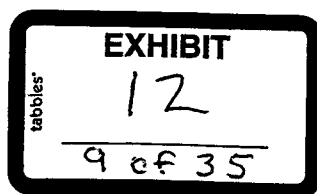
Another man stated that he drove into Fort Marcy Park between 4:15 and 4:30 p.m. He observed two cars in the parking lot of the Park at that time. He described one as a brown Japanese-made car with an Arkansas license plate. When shown photographs of Foster's car, he stated that the car he saw appeared darker in color and more compact. He stated that nobody was in the car, but there was a man's suit jacket folded over the passenger seat of the car. He recalls that the car was parked in one of the first spaces on the left side of the lot, which is where the Park Police found Foster's car following his death. The Park Police also found Foster's suit jacket draped over the front passenger seat of his car.

G. Discovery Of Foster's Body

1. Fort Marcy Park

Fort Marcy Park is located adjacent to the northbound lanes of the George Washington Memorial Parkway in Fairfax County, Virginia. The only vehicular entrance is from the Parkway, although there is a small opening in the fence on the Chain Bridge Road side of the park for use by pedestrians. A short drive from the Parkway entrance, there is a parking lot. Several foot trails lead from the lot. The original Fort Marcy was one of a ring of fortifications constructed during the Civil War to defend

* In recent years, only the State of Montana has a license plate that identifies the State in the lower right corner.



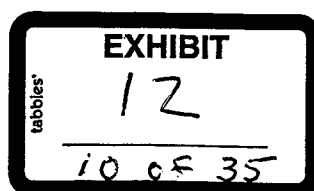
Marcy Park, where he hoped to find a telephone. When he pulled into the parking lot he saw two uniformed park maintenance employees. CW provided the employees with the location of the body and drove off. He did not leave his name and the maintenance workers did not observe his license plate.*

3. Observations of the U.S. Park Police and Fairfax County personnel

Computer records and audio recordings establish that at 5:59 p.m., using a public telephone, one of the Park maintenance workers dialed "911" to report the information provided by CW. He was advised by the Fairfax County Police dispatcher that because the body was found in the Park, the Park Police was the appropriate authority to respond. At 6:02 p.m., the maintenance worker reached the Park Police dispatcher and reported the information received from CW.

Following receipt of these calls, the Fairfax County Fire and Rescue Department dispatched Emergency Medical Services ("EMS") personnel to the Park, and the Park Police dispatched officers and investigators. At 6:09 p.m., a medical unit and an engine unit from Fairfax County EMS arrived at the Park. At approximately the

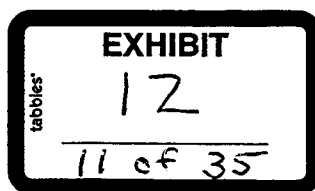
* In order to test the veracity of the information provided by CW, this Office performed a detailed analysis of that information. CW provided details that have never become public, and that could only have been known by the person who discovered Foster's body. These details include specific information about the appearance and location of the body, the description and location of the cars in the parking lot, the physical description of the park maintenance workers, and the short conversation held with them.



At approximately 6:35 p.m., Park Police Investigators arrived at the body. Park Police Investigator John Rolla observed that some of the blood on Foster's face was still wet when he arrived, but was starting to dry. He touched Foster's body and noted that it was still relatively warm (which could have been a result, in part, of the ninety degree heat that day) and there were no signs of rigor mortis.* Foster's clothes were neat and there was no sign of any struggle. Foster was wearing his White House paging device, which had been turned off. A pair of eyeglasses, identified by Lisa Foster as belonging to her husband, were found about thirteen feet below Foster's body at the bottom of the berm.

Park Police Technician Peter Simonello was responsible for removing the gun still held in Foster's right hand. He noted that the knuckle of Foster's right thumb was trapped between the front surface of the trigger and the inside of the trigger guard of the gun. Simonello stated that Foster's hand was flexible, but that he had to half cock the weapon in order to remove his thumb. After removing the gun, Simonello observed a deep impression on Foster's thumb where the trigger had been located. He further saw powder residue on Foster's thumb and along the edge of Foster's right index finger. Photographs taken at the scene and at the autopsy show this powder residue, and a photograph taken at the autopsy shows the mark on Foster's thumb. The gun, a .38 caliber Colt

* As stated in the Pathologist Report, the available information is insufficient to determine the precise time of death during that afternoon. Pathologist Report, at ¶ 4.



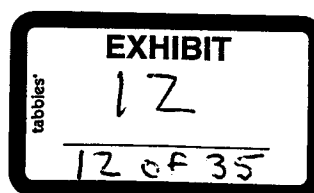
revolver, was found to contain one unexpended cartridge and one cartridge case from which a bullet had been fired.

While one group of Park Police officials continued to examine Foster's body, others conducted an inspection of the cars in or near the parking lot. When the Park Police and EMS personnel first arrived, they observed three cars within the Park. The first was a blue Mercedes flashing its hazard lights, located just inside the entrance to the Park. This car belonged to a woman who had pulled into the Park late in the afternoon when her car had begun to malfunction. She immediately left the Park on foot and a tow truck arrived to pick up the car at approximately 7:00 p.m.

The second car, a white Nissan Stanza parked near the rear of the parking lot, belonged to another woman who drove to the Park with a friend at approximately 5:00 p.m.* They were still in the Park when located by the Park Police a short way down a path leading south from the parking lot. Neither individual heard a gunshot while in the Park or observed anything unusual.

The third car, a grey 1989 Honda Accord with Arkansas license plates, was parked in one of the first spaces on the left near the entrance of the parking lot. The car was registered to Vincent Foster. Park Police Investigators observed a suit jacket that matched the pants worn by Foster, neatly folded over the passenger seat of the car. In the jacket was Foster's White House identification. The keys to the car were located in Foster's pants

* CW accurately described the location and description of this car.

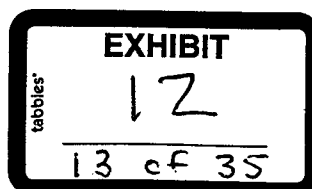


pocket. The car was impounded and searched, but nothing significant to the investigation was found.* Foster's wallet was in his suit jacket and contained \$292, credit cards, and miscellaneous papers, including the list of three psychiatrists provided by Sheila Anthony four days earlier.

At approximately 7:40 p.m., Dr. Donald Haut, the Fairfax County Medical Examiner, arrived at the scene to examine the body. At that point Foster's body was rolled over and those present observed a large pool of blood located on the ground where Foster's head had been. Haut observed a large exit wound in the back of the skull.

Following this examination, additional personnel from Fairfax County Fire & Rescue were dispatched to the scene to transport Foster's body to the morgue. At approximately 8:45 p.m., Corey Ashford and Roger Harrison lifted Foster's body under the arms and placed him into a body bag. The body was wheeled out of the Park on a stretcher and transported to Fairfax Hospital where it was briefly examined by Dr. Julian Orenstein, the physician on duty in the hospital's emergency room, who officially pronounced Foster dead. The body was taken to the morgue, where it was later identified by William Kennedy and Craig Livingstone, a Special Assistant to the White House Counsel.

* The presence in the car of beer cans, an empty pack of cigarettes, and a cork screw was the result of a trip to the beach taken by Foster's sons during the prior weekend.

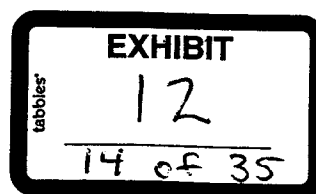


H. The Autopsy

At 10:00 a.m. on July 21, 1993, Dr. James C. Beyer, the Deputy Chief Medical Examiner for the Northern Virginia District, conducted the autopsy on Foster. The autopsy found a contact bullet wound entering the soft palate inside the mouth. A microscopic examination noted extensive gunpowder residue on the soft palate. According to the autopsy report and information subsequently provided by Dr. Beyer, the bullet entered the cranial cavity, significantly damaged the left side of the brainstem and the left cerebral hemisphere of the brain, and exited from the center of the back of the head. The autopsy found no other trauma to Foster's body and found his teeth unbroken. Dr. Beyer found gunpowder-like residue on the lateral portion of both index fingers, with a greater concentration on the right index finger. No alcohol or drugs were found in Foster's blood, although a later analysis by the FBI Lab revealed trace amounts of trazadone, attributable to the anti-depressant prescribed by Dr. Watkins. Photographs taken during the autopsy, as well as microscopic slides of Foster's soft palate and other tissues, were obtained from Dr. Beyer by this Office and reviewed by the Pathologist Panel.* Dr. Beyer certified the death as a suicide.**

* The office X-ray machine was inoperable at the time of Foster's autopsy, and as a result no X-rays were taken.

** The complete autopsy report is attached as Exhibit 8.



different in appearance from the gun that she had brought with her from Little Rock, in the closet of her house in Washington. She did not recall seeing any ammunition in their house in Washington. In recent weeks, she found some ammunition at her home in Arkansas, but none of it was .38 caliber.

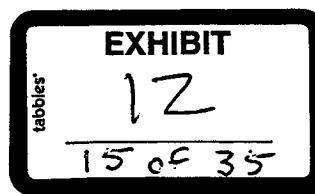
J. The Park Police Investigation

1. Investigative jurisdiction

Because Foster's death occurred in a National Park, the Park Police, as part of the Department of the Interior, had jurisdiction to conduct the investigation. Park Police Chief Robert E. Langston stated that the Park Police have historically had primary investigative jurisdiction for crimes or possible crimes committed within federal parks.

The FBI would have had primary investigative jurisdiction if the circumstances fell within the Presidential and Presidential Staff Assassination statute, Title 18, United States Code, Section 1751. That statute makes it a federal crime to, among other things, kill the President, Vice-President, or a specified number of persons appointed by the President or Vice-President. The statute further provides that violations shall be investigated by the FBI.* Based on a preliminary inquiry by the FBI which failed

* 18 U.S.C. Section 1751 covers "any person appointed under section 105(a)(2)(A) of title 3 employed in the Executive Office of the President. . . ." Title 3, United States Code, Section 105(a)(2)(A) provides that the President may appoint twenty-five employees at a specified rate of pay. Because the preliminary investigation by the FBI provided no indication of criminal activity, the FBI did not determine whether Foster was covered by this statute.



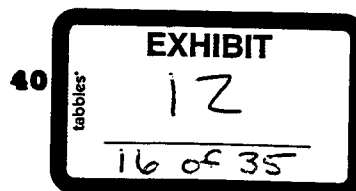
to indicate any criminal activity, the FBI's inquiry into this matter was closed. At the request of this Office, the FBI reentered this investigation in February 1994.

2. Summary of Park Police investigation

In the weeks following Foster's death, the Park Police conducted a number of interviews with family members, White House staff, and others; reviewed documents obtained from the White House and from Foster's personal belongings; and took other investigative steps including fingerprint analyses and an unsuccessful search in Fort Marcy Park for the bullet fired from the gun. The Park Police concluded that Foster's death was a suicide from a self-inflicted gunshot wound to the mouth.

TESTS CONDUCTED BY FBI LABORATORY

In March 1994, this Office obtained from the Park Police and the Medical Examiner's Office all available physical evidence collected in connection with the investigation of Foster's death, and provided it to the FBI Lab for analysis. This evidence included the gun and the ammunition it contained, Foster's clothing and eyeglasses, items found in Foster's car, photographs taken at the scene of the death and during the autopsy, Foster's hair and blood samples obtained during the autopsy, the autopsy report, and relevant portions of the Park Police Report on Foster's death. The FBI Lab performed extensive analyses, as summarized below.

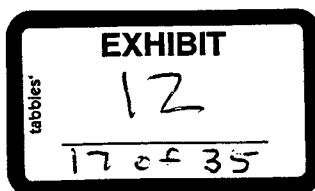


Foster's gun when "this portion of the right thumb is wedged between the front of the trigger and the inside of the front of the trigger guard of [Foster's gun] when the trigger rebounds (moves forward)." This mark is also consistent with the position of Foster's thumb in the trigger guard as depicted in the Park Police photographs. Lab Report, at 7.

B. Chemical Analysis

Ball shaped gunpowder was found in scrapings from Foster's shirt and undershirt. The FBI Lab found this gunpowder to be physically and chemically similar to the powder found in the empty cartridge case in the gun. In addition, chemical testing of Foster's shirt resulted in a positive reaction for the presence of lead residue. The presence of the residues found on Foster's shirt is consistent with the blast from the cylinder of Foster's gun when fired using ammunition of the kind found within that gun.

The FBI Lab further found one piece of ball powder on the eyeglasses recovered from the bottom of the berm, approximately thirteen feet below where Foster was found. This powder is physically and chemically similar to the gunpowder found in the cartridge case removed from Foster's gun. These facts are consistent with the eyeglasses being positioned near the gun when fired (such as on Foster's face or in his shirt pocket). One obvious scenario is that the eyeglasses were dislodged by the sudden backward movement of Foster's head when the gun was fired, after which the glasses bounced down the hill.



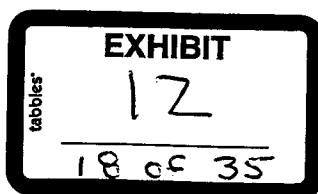
The FBI Lab detected one flattened ball-shaped gunpowder particle in scrapings from Foster's shoes and socks, and one disk-shaped particle on the paper that Foster's clothes were placed on at the Park Police Laboratory. The FBI Lab found that these particles did not originate from the fired cartridge in Foster's gun. These particles are believed to be the result of contamination some time after the clothing was removed from Foster's body.* The FBI Lab concluded that these particles "are not likely associated with this investigation." Supplemental Lab Report, at 3.

C. Blood Analysis

The FBI Lab conducted tests on the blood sample obtained during Foster's autopsy. The tests revealed small concentrations of trazadone, diazepam and nordiazepam. Trazadone is the anti-depressant prescribed by Dr. Watkins and taken by Foster on the evening of July 19. Diazepam is commonly known as valium, and nordiazepam is a metabolite of valium.** The concentrations of these drugs were below generally recognized therapeutic levels.

* Although the Park Police laboratory does take precautions to avoid contamination of evidence, it is a small facility which was conducting a number of unrelated examinations in July 1993. Foster's clothes were laid out to dry for four days on the floor of a "photo lab room" adjacent to the laboratory examination area. This room is regularly used by Park Police officers working on investigations and is equipped with an exhaust fan. It is possible that the clothes were contaminated while in this room.

** Lisa Foster stated that there was valium in their home in Washington, but she was not aware of Foster taking any.

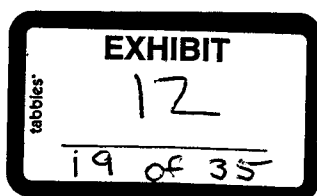


Foster's blood type was found to be consistent with the blood found on his shirt and undershirt. A visual examination and limited chemical testing of the gun by the FBI Lab did not reveal the presence of any blood. Additional chemical testing was avoided so that the gun could be preserved for subsequent fingerprint and DNA testing. Subsequent testing did detect DNA near the muzzle of the gun which could have been derived from blood or saliva.

D. Analysis of Bloodstaining Patterns

The FBI Lab conducted an analysis of the bloodstaining on Foster's face and clothing as depicted in the photographs taken at the scene. The photographs show Foster's face pointing straight up - his head not tipped to either side. This position is inconsistent with the blood patterns on Foster's face and shirt. The blood on the right shoulder of Foster's shirt "consists of saturating stains typical of having been caused by a flow of blood onto or soaking into the fabric." Lab Report, at 9. The blood on Foster's right cheek and jaw is a "contact stain . . . typical of having been caused by a blotting action, such as would happen if a blood-soaked object was brought in contact with the side of his face and taken away, leaving the observed pattern behind." Lab Report, at 9.

The FBI Lab concluded that the pattern of the blood on Foster's face and on Foster's shoulder is consistent with Foster's face having come into contact with the shoulder of his shirt at some point. Because Foster's head is not in contact with his shoulder in the photographs, the FBI Lab Report concludes that



However, the FBI Lab found small particles of mica on much of Foster's clothing, including his shoes. This mica is consistent with the soil found in the area where Foster's body was found.

I. Search For Additional Evidence In Fort Marcy Park

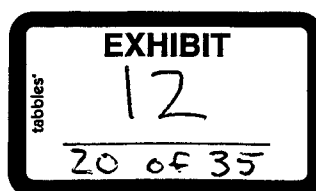
On April 4, 1994, sixteen individuals from the FBI Lab went to Fort Marcy Park to conduct a search in the area where Foster's body was found.* The purpose of the search was to attempt to find a bullet, bone fragments from Foster's skull, the presence of blood in the soil beneath the location of Foster's body when found, and any other evidence relevant to Foster's death.

In an attempt to locate a bullet, FBI Lab personnel surveyed and marked out a grid in what the FBI Lab determined was the most likely area for the bullet to have landed after passing through Foster's skull. This area was systematically searched using metal detectors. Twelve modern-day bullets were collected during the search and returned to the FBI Lab for analysis. The FBI Lab has determined that none of the bullets found were fired from Foster's gun.**

The area immediately beneath where Foster's body was found was searched by digging and hand sifting the soil and other debris.

* Also present were representatives from the National Park Service and a representative from the Smithsonian Institution.

** In addition to the bullets, a number of cartridges and shell casings were found. The Lab determined that none of these items was fired in Foster's gun. Numerous Civil War artifacts were also found during the search, including ammunition, nails, horseshoes, a military button and other metal objects. These items were turned over to the National Park Service. An index of these items is attached as Exhibit 9.



FBI Lab personnel excavated to a depth of approximately eighteen inches, searching the soil through various screening methods. No bone fragments or bullets were found.

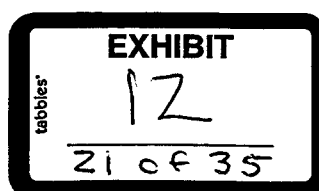
ANALYSIS

A. Analysis And Conclusions Of Forensic Pathology Panel

Four experts in the field of forensic pathology reviewed and analyzed the evidence obtained during the course of this investigation. Each member of the Pathologist Panel was provided unrestricted access to the FBI Lab Reports; the reports of all interviews conducted during the course of the investigation; the report issued by the Park Police following its investigation; the autopsy report; all photographs taken at the scene of Foster's death and during the autopsy; and microscopic slides containing portions of Foster's soft palate obtained during the autopsy. In addition, the Pathologist Panel discussed the evidence with members of this Office, the FBI investigating agents, and FBI Lab personnel. Two members of the Panel met with the Medical Examiner, Dr. Beyer.

After reviewing and analyzing the evidence, the Pathologist Panel issued a report stating its conclusions and summarizing the bases for its conclusions. The Panel concluded the following:

- 1) The bullet wound to Foster's head and brain caused his death;



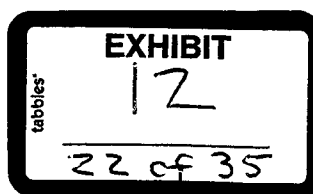
4. **Why was there no blood on the gun?**

The FBI Lab could reach no definitive conclusion on whether there was any blood on the gun. The source of the DNA material found on the muzzle of the gun is derived from human cellular material, which could be blood. However, even a determination that there was no blood on the gun would have little significance. The Pathologist Panel found that "[t]he absence of visible blood on the revolver is not inconsistent with the self-inflicted bullet wound [he] sustained. Visual or chemical identification of blood on the weapon in gunshot wound suicides is a common but by no means universal finding." Pathologist Report, ¶ 2.

5. **Why did no one hear the shot?**

It is impossible to determine conclusively that no one heard the shot. Given the location and circumstances of his death, however, it would not be surprising if the shot went unheard. The Park has few visitors, particularly on a weekday afternoon. It is entirely possible that there was no one else in the Park at the time that Foster fired the shot.

The closest building to the Park is the official Saudi Arabian Ambassador's residence located across Chain Bridge Road, a few hundred yards away from the spot that Foster shot himself. Interviews of the security guards at the Saudi Arabian residence and observations made by the FBI reveal that there were sources of noise which could have muffled the sound of a gunshot. First, Chain Bridge Road has a fairly steady stream of traffic in the



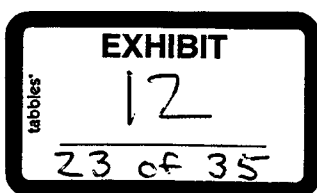
afternoon. Second, records obtained through the security guards at the Saudi residence show that construction work involving large vehicles and heavy machinery was occurring at the residence on the date of Foster's death. In addition, the sound of the shot would have been further muffled by Foster shooting the gun inside his mouth and by the Park's dense summer foliage.

6. Why was no bullet found?

The FBI Lab's search for the bullet focused on the most likely area for the bullet to have come to rest based upon certain assumptions of Foster's position when the gun was fired. Given the available information, however, it is impossible to determine where the bullet landed. For example, there is no information on the precise angle of Foster's head when the gun was fired. It is also impossible to predict to what degree the speed or trajectory of the bullet might have changed upon passing through his skull. It would have been enormously time-consuming, costly, and in all likelihood unproductive, to have searched the entire Park for the bullet.

7. Why was no dirt found on Foster's shoes?

The FBI Lab did find mica particles on Foster's shoes and socks. These mica particles are consistent with the mica that is found at Fort Marcy Park. It was approximately 90 degrees Fahrenheit and dry on the day that Foster died. Foliage leading up to and around Foster's body was dense. As a result, it is unlikely that there was a great deal of exposed moist soil in the Park that would have soiled Foster's shoes.



8. Why were there no powder burns inside Foster's mouth?

The Pathologist Panel was able to examine microscopic sections of Foster's soft palate obtained during the autopsy. These sections reveal large quantities of gunpowder indicating that the muzzle of the gun was inside Foster's mouth when he pulled the trigger. The Panel did not observe any burns caused by the muzzle blast, but added that such burns would not necessarily be expected under these circumstances.

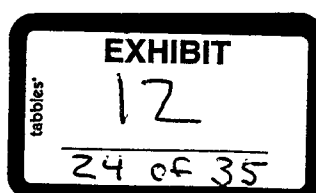
9. Why was there no gunpowder on Foster's face?

The question of whether there was gunpowder on Foster's face remains unresolved. The scene and autopsy photographs show scattered "stippled material" on Foster's face. This material was not examined during the autopsy. It is uncertain whether this "stippled material" represents "gunpowder residue, blood spatter, or some other foreign material. . . ." Pathologist Report ¶ 8.

10. Why didn't CW see a gun in Foster's hand?

CW has stated that he viewed Foster's body from the top of the berm. He did not move down the berm to view the body from the side. CW has further stated that the natural foliage in the area made it difficult to see Foster's hands. In addition to the foliage, photographs taken at the scene show that Foster's right hand and leg obscured a large portion of the gun.

Observations of Park Police officers who also viewed the body from the top of the berm confirm that it was difficult to see the gun from that position. Officer Kevin Fornshill stated that he



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Curriculum Vitae

James L. Luke, M.D.

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Date of Birth August 29, 1932

Married Marcia Gene Alley, October 5, 1957

1. Education and Professional Training

College Yale University 1950-1952
New Haven, Connecticut
Columbia University 1956 (B.S.)
New York City, New York

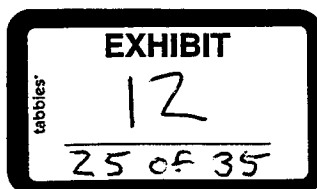
Medical School School of Medicine 1960 (M.D.)
Case-Western Reserve University
Cleveland, Ohio

Internship Laboratory of Pathology 1960-1961
Yale University School of Medicine
Yale-New Haven Hospital
New Haven, Connecticut

Residency Institute of Pathology 1961-1963
University Hospitals and
Case-Western Reserve University
Cleveland, Ohio

Military Service Staff Researcher 1963-1965
Laboratory of Experimental Pathology
National Institute of Arthritis and
Metabolic Diseases
National Institutes of Health
Bethesda, Maryland
(Surgeon, U.S. Public Health Service)

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II. Employment

1965-1967 Associate Medical Examiner, City of New York,
Office of the Chief Medical Examiner
520 First Avenue
New York City, New York

Assistant Professor
Department of Legal Medicine
New York University School of Medicine

1967-1971 Chief Medical Examiner*, State of Oklahoma

Professor of Forensic Pathology
Department of Pathology
University of Oklahoma School of Medicine
Oklahoma City, Oklahoma

Director, Forensic Pathology Residency
Training Program

1971-1983

Chief Medical Examiner*, District of Columbia
Office of the Chief Medical Examiner
19th Street and Massachusetts Avenue, S.E.
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Director, Forensic Pathology Residency
Training Program

1971-1986

Clinical Professor of Pathology
Medical Schools of Georgetown, George
Washington and Howard Universities
Washington, D.C.

1983-1986

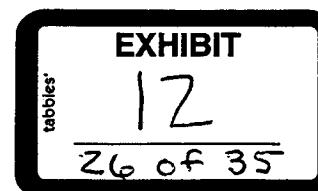
Distinguished Scientist
Armed Forces Institute of Pathology
Washington, D.C. 20306

1987-1989

Chief Medical Examiner, State of Connecticut
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Farmington, Connecticut 06032

Professor of Pathology, Professor of
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School of Medicine
University of Connecticut Health Center
Farmington, Connecticut 06032

* As the first Chief Medical Examiner, planned and implemented medical examiner system



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Present Director, AFIP Breast Implant Project
 Department of Environmental and Toxicologic
 Pathology
 Armed Forces Institute of Pathology
 Washington, D.C. 20306

Forensic Pathologist
Investigative Support Unit
Federal Bureau of Investigation
FBI Academy
Quantico, Virginia 22135



Security Clearance: Top Secret

Clinical Professor of Pathology
George Washington University School of
Medicine

Clinical Professor of Pathology
Georgetown University School of Medicine

III. Certification/Associations

Specialty Boards: Diplomat, National Board of Medical
Examiners (1961)

Certified by the American Board of
Pathology in Anatomic (1965) and
Forensic (1967) Pathology

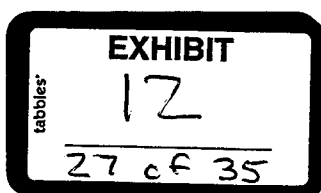
State Medical Licenses: Ohio, New York, California,
Oklahoma, District of
Columbia*, Connecticut

*Active

Societies, Associations and Honors:
(In Chronological Order)

- *Chamberlain Greek Prize, Yale University (1950)
- *American Academy of Forensic Sciences, Fellow (1965-Present)
- *Physicians for Automotive Safety, Consultant (1965-1971)
- *Law-Science Academy of America, Fellow (1966-1968)
- *National Association of Medical Examiners, Member
(1966-Present)
- Oklahoma County Medical Society, Member (1967-1971)

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27. J. L. Luke. Conjunctival Petechiae. Letter to the Editor, New Eng. J. Med., 284: 1101, 1971.
28. J. L. Luke. The Oklahoma Medical Examiner System: Recommendations for the Future. J. Oklahoma Med. Assn., 64: 195-201, 1971.
29. J. L. Luke. Book Review. Legal Medicine Annual - 1971, Edited by Cyril H. Wecht, M. D., J. D., New York, Appleton-Century-Crofts, 1971, Medical Annals of the District of Columbia, 41: 273, 1971.
30. J. L. Luke. Ombudsman of Death. Chapter of book to be published on the occasion of the 70th birthday of Dr, Milton Helpern, Appleton-Century-Crofts, 1972-1973.
31. J. L. Luke. Heroin Addiction. Letter to the Editor, New Eng. J. Med., 286: 1219, 1972.
32. K. M. Dubowski and J. L. Luke. Measurement of Carboxyhemoglobin and Carbon Monoxide in Blood. Ann. of Clin. Lab. Sci., 3: 53, 1973.
33. J. L. Luke. Forensic Pathology: A View from the Nation's Capitol. Medical Alumni Bulletin, Case Western Reserve University, 37: 4-6, 1973.
34. M. H. Greene, J. L. Luke and R. L. Dupont. Opiate "Overdose" Deaths in the District of Columbia - I. Heroin-Related Fatalities. Medical Annals of the District of Columbia, 43: 175-181, 1974.
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37. J. L. Luke. Guns - Speak for the Victim. Letter to the Editor, The Washington Post, November 2, 1974.
38. J. L. Luke. Alcohol Abuse as Seen from the Medical Examiner's Perspective, The Alcoholism Digest Annual, Volume II, 1973-1974, 21-23, 1974.
39. J. L. Luke, B. D. Blackbourne and W. J. Donovan. Bed-Sharing Deaths Among Victims of the Sudden Infant Death Syndrome - A Riddle within a Conundrum. Forensic Science Gazette, 5: 3-4, 1974.

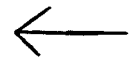
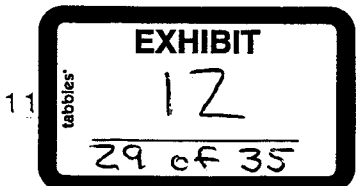


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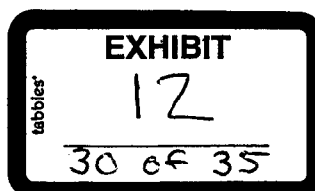
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41. J. L. Luke. Dr. Luke "on" the Journal. Letter to the Editor, J. Forensic Sciences, 23: 4-5, 1978.
42. J. L. Luke. Sleeping Arrangements of Sudden Infant Death Syndrome Victims in the District of Columbia - A Preliminary Report. J. Forensic Sciences, 23: 379-383, 1978.
43. L. Riddick and J. L. Luke. Alcohol-Associated Deaths in the District of Columbia - A Postmortem Study. J. Forensic Sciences, 23: 493-502, 1978.
44. C. J. Stahl, S. R. Jones, F. B. Johnson and J. L. Luke. The Effect of Glass as an Intermediate Target on Bullets: Experimental Studies and Report of a Case. J. Forensic Sciences, 24: 6-16, 1979.
45. J. L. Luke. Discussion of "Bilateral Linear Subconjunctival Hemorrhage in a Trauma Patient". Letter to the Editor, J. Forensic Sciences, 24: 3, 1979.
46. W. C. Roberts, W. J. Brownlee, A. A. Jones and J. L. Luke. The Sucking Action of the Left Ventricle: Demonstration of a Physiological Principle by a Gunshot Wound Penetrating Only the Right Side of the Heart. American Journal of Cardiology, 43: 1234-1237, 1979.
47. E. L. Zimney and J. L. Luke. Narcotic-Related Deaths in the District of Columbia: 1971-1979. J. Forensic Sciences, 26: 462-469, 1981.
48. W. C. Roberts, B. S. Diccicco . . . and J. L. Luke. Origin of the Left Main from the Right Coronary Artery or from the Right Coronary Sinus with Intramyocardial Tunneling. American Heart Journal, 104: 303-305, 1982.
49. J. L. Luke and M. E. Levy (P. I. Nieburg). Exposure-Related Hypothermia Deaths - District of Columbia, 1972-1982. Morbidity and Mortality Weekly Report, USPHS, 31: 669-671, 1982.
50. J. L. Luke and M. E. Levy (A. J. Rutenber). Heroin-related Deaths-District of Columbia, 1980-1982. Morbidity and Mortality Weekly Report, USPHS, 32: 321-324, 1983.



51. M. Bray, J. L. Luke and B. D. Blackbourne. Vitreous Humor Chemistry in Deaths Associated with Rapid Chilling and Prolonged Fresh Water Immersion. J. Forensic Sciences, 28: 588-593, 1983.
52. A. J. Ruttenber and J. L. Luke. Heroin-Related Deaths: New Epidemiological Insights. Science, 226: 14-20, 1984.
53. C. C. Snow and J. L. Luke. The Oklahoma City Child Disappearances of 1967 - Forensic Anthropology in the Identification of Skeletal Remains. Human Identification, Edited by T. A. Rathbun and J. E. Buikstra, Charles C Thomas, Springfield, Illinois, Chapter 19, pp 253-277, 1984.
54. J. L. Luke, D. T. Reay, J. W. Eisele and H. J. Bonnell. Correlation of Circumstances with Pathologic Findings in Asphyxial Deaths by Hanging: A Prospective Study of 61 Cases from Seattle, Washington. J. Forensic Sciences, 30: 1140-1147, 1985.
55. J. L. Luke. The Role of Forensic Pathology in Criminal Profiling. Sexual Homicide, Patterns and Motives, by R. K. Ressler, A. W. Burgess and J. E. Douglas, Lexington Books, D. C. Heath & Co., Lexington, Massachusetts/Toronto, Chapter 10, pp 153-162, 1988.
56. J. L. Luke. An Alternative Diagnosis. Letter to the Editor, Am. J. Forensic Med. Pathol., 9: 271, 1988.
57. J. L. Luke, A. Farb, R. Virmani, and R. H. B. Sample. Sudden Cardiac Death During Exercise in a Weightlifter Using Anabolic Androgenic Steroids: Pathological and Toxicological findings. J. Forensic Sciences, 35: 1441-1447, 1990.
58. J. L. Luke. The Shortage of Organs for Transplantation. Letter to the Editor. New Eng. J. Med., 326: 1025, 1992.
59. J. L. Luke and D. T. Reay. The Perils of Investigating and Certifying Deaths in Police Custody. Am. J. Forensic Med. Pathol., 13(2): 98-100, 1992
60. J. L. Luke. The Medical-Legal Investigation of the Crash of Air Florida Flight 90, Washington, D.C., January 13, 1982. Proceedings of the International Symposium on the Forensic Aspects of Mass Disasters and Crime Scene Reconstruction, pages 53-57, U.S. Government Printing Office, 1993, ISBN # 0-932115-11-X.



1962

CURRICULUM VITAE

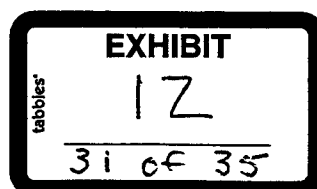
CHARLES J. STAHL, III, M.D.

PERSONAL INFORMATION

Date of Birth: 5 August 1930
Place of Birth: Philadelphia, Pennsylvania
Marital Status: Married - 20 November 1954
Ellen Baran Stahl
Children: Charles - 28 June 1957
Marcia - 5 October 1959
Kim - 5 April 1963
Home Address: 14105 Flint Rock Road
Rockville, Maryland 20853-2654
Office Address: The Armed Forces Medical Examiner
Armed Forces Institute of Pathology
Washington, DC 20306-6000
Social Security Number: 175-24-6264

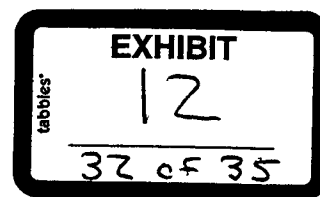
EDUCATION

1944 - 1948 Souderton High School
Souderton, Pennsylvania
1948 - 1952 Ursinus College
Collegeville, Pennsylvania
1952 - 1956 The Jefferson Medical College
Philadelphia, Pennsylvania
Doctor of Medicine - 1956
1956 - 1957 U.S. Naval Hospital
Philadelphia, Pennsylvania
Rotating General Internship



OIC 000697

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1985

APPOINTMENTS AS EDITOR:

Associate Editor, Journal of Forensic Sciences, 1971-1972

Editor, Journal of Forensic Sciences, 1972-1974

Associate Editor, Journal of Forensic Sciences, 1979 - 1992

TEACHING APPOINTMENTS:

Assistant Instructor in Pathology and Fellow in Pepper Laboratory of Clinical Medicine, University of Pennsylvania, Philadelphia, Pennsylvania, February 1960 - May 1960

Guest Lecturer, Sophomore Class in Forensic Medicine, Jefferson Medical College, Philadelphia, Pennsylvania, 1961 and 1962

Guest Lecturer, U.S. Naval Medical School, National Naval Medical Center, Bethesda, Maryland, 1963 and 1965

Lecturer in Homicide Investigation, Police Division, Department of Public Safety, Government of Guam, 1965

Guest Lecturer, Seminar in Homicide Investigation, Department of Legal Medicine, Harvard Medical School, Boston, Massachusetts, May 1966, November 1966, and May 1967

Guest Lecturer, Seminar in Homicide Investigation, Maryland Medical-Legal Foundation, Baltimore, Maryland, 1968 - 1974

Course Director, Postgraduate Course in Forensic Pathology, Armed Forces Institute of Pathology, Washington, D.C., 1966-1970

Program Director, Residency in Special Field of Forensic Pathology, Armed Forces Institute of Pathology, Washington, D.C., 1966-1974

Instructor, Basic and Advanced Courses for Special Agents, Headquarters, Naval Investigative Service, Naval Intelligence Command, Arlington, Virginia, 1966-1969

Instructor, Basic Course for Special Agents, Headquarters, Naval Investigative Service, Naval Intelligence Command, Alexandria, Virginia, 1970-1971, 1973-1974

Faculty, Postgraduate Course in Forensic Dentistry, Armed Forces Institute of Pathology, Washington, D.C., 1966-1970

Faculty, Postgraduate Course in Aerospace Pathology, Armed Forces Institute of Pathology, Washington, D.C., 1966-1970; 1974

Faculty, Inservice Training Program in Homicide Investigation, Criminal Investigations Division, Metropolitan Police Department, District of Columbia, May 1969; October 1969; May 1970; April 1971; September 1972; March 1973; September 1973

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1988

Faculty, Medico-Legal Seminar, Office of the Chief Medical Examiner, Commonwealth of Virginia, and Department of Legal Medicine, Medical College of Virginia, Abingdon, Virginia, 8 October 1981

Resource Staff Member, Personnel Management for Executives Program, Central Atlantic Regional Training Center, Department of the Army, Williamsburg, VA, 2-12 March 1982

Faculty, Seminar in Laboratory Medicine, Veterans Administration Medical Center, Mountain Home, TN, 16 July 1982

Professor of Pathology, East Tennessee State University School of Graduate Studies, Johnson City, TN, 3 August 1982 -

Faculty, Medico-Legal Seminar, Office of the Chief Medical Examiner, Commonwealth of Virginia, and Department of Legal Medicine, Medical College of Virginia, Roanoke, Virginia, 21 October 1982

Faculty, Forensic Pathology, Upper East Tennessee Law Enforcement Training Commission, East Tennessee State University, Johnson City, Tennessee, 16 December 1982

Course Director and Faculty, Seminar on Forensic Medicine, Quillen-Dishner College of Medicine, East Tennessee State University, Johnson City, Tennessee, 21 January 1983

Faculty, Seminar on Forensic Pathology, Department of Pathology, Vanderbilt University School of Medicine, Nashville, Tennessee, 28-29 January 1983

Faculty, Tennessee Medical Examiner Seminar, Sweetwater, Tennessee, 12 March 1983

Guest Speaker, The Kiwanis Club of Bristol, Tennessee, 21 April 1983

Faculty, Seminar on Sudden Infant Death Syndrome, First Tennessee Regional Public Health Center, Johnson City, Tennessee, 16 September 1983

Faculty, Aerospace Pathology Course, Armed Forces Institute of Pathology, Washington, D.C., 8 November 1983

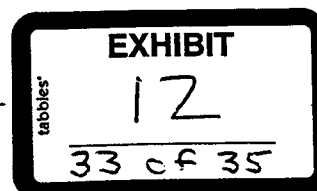
Faculty, Advanced Forensic Pathology Course, Armed Forces Institute of Pathology, FBI Academy, Quantico, VA, 12 April 1984

Faculty, 24th International Conference on Legal Medicine, American College of Legal Medicine, Scottsdale, AZ, 11 May 1984

Course Director and Faculty, Seminar on the Investigation of Sex Crimes, Quillen-Dishner College of Medicine, East Tennessee State University, Johnson City, TN, 18 May 1984

Guest Speaker, Tri-Cities Chapter, Tennessee Society for Clinical Microbiology, Veterans Administration Medical Center, Mountain Home, TN, 5 June 1984

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1989

Faculty, Death Investigation Seminar, Upper East Tennessee Law Enforcement Training Commission, East Tennessee State University, Johnson City, TN, 15 August 1984

Resource Staff Member, Personnel Management for Executives Program, Department of the Army Regional Training Center, U.S. Army Forces Command, Charleston, SC, 9-21 September 1984

Faculty, American College of Legal Medicine Seminar, "The Growing Role of Law in the Practice of Medicine", Annual Meeting of the Association of American Medical Colleges, Chicago, IL, 31 October - 1 November 1984

Moderator, Scientific Session, Pathology and Biology Section, 37th Annual Meeting, American Academy of Forensic Sciences, Las Vegas, NV, 14 February 1985

Faculty, (Forensic Pathology, Forensic Medicine), Veterans Administration Physician and Dentists In-Residence Program, South Central Regional Medical Education Center, Jefferson Barracks Division, St. Louis, MO, 1981-1985

Faculty, Special Topics (Forensic Pathology), Criminal Justice Course No. 321-4967-C01, Department of Criminal Justice, East Tennessee State University, Spring Semester (25 February, 4 March and 25 March), 1985

Faculty, Advanced Forensic Pathology Course, Armed Forces Institute of Pathology, FBI Academy, Quantico, VA, 18 April 1985

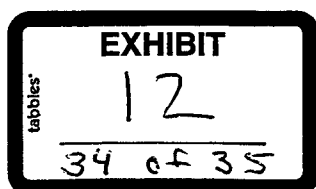
Course Director and Faculty, Legal Medicine Seminar, Quillen-Dishner College of Medicine, East Tennessee State University, Johnson City, TN, 5 December 1985.

Assistant Dean for Veterans Affairs and Professor of Pathology, Wright State University School of Medicine, Dayton, OH, 1 July 1986 - 29 March 1991.

Faculty, Basic Forensic Pathology Course, Armed Forces Institute of Pathology, Washington, DC, 3 November 1986.

Guest faculty, Annual Death Investigation Seminar of the Indiana Forensic Science Commission, Indiana Coroner's Association, and Department of Pathology, Indiana University School of Medicine, Indianapolis, IN, 21-22 April 1988.

Guest Faculty, Annual Death Investigation Seminar of the Indiana Forensic Science Commission, Indiana Coroner's Association, and Department of Pathology, Indiana University School of Medicine, Indianapolis, IN, 28 April 1989.

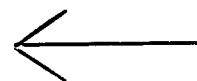


1958

Donald T. Reay, M.D.

Page 8

Reay, D.T. and Mathers, R.L.: Physiological effects of neck holds, FBI Law Enforcement Bulletin, pp 12-15, July 1983



Reay, D.T. and Eisele, J.W.: Sexual abuse and death of an elderly woman by fisting, Am. J. For. Med. & Path., 4:347-349, December 1983

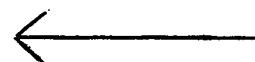
Eisele, J.W. and Reay, D.T.: Ethanol in sequestered hematomas: Quantitative evaluation, Am. J. Clin. Path., 81:352-355, 1983

Reay, D.T., Insalaco, S.J. and Eisele, J.W.: Postmortem methemoglobin levels and their significance, J. For. Sci., 29:1160-1163, October 1984

Eisele, J.W., Frisino, J.D., Haglund, W.D. and Reay, D.T.: Teenage suicide in King County, King County Med. Soc. Bull., 63:24-25, May 1984

Reay, D.T., Eisele, J.W., Ward, R., Horton, W., and Bonnell, H.J.: A procedure for the investigation of anesthetic/surgical deaths. J. For. Sci., 30:822-827, July 1985

Luke, J.L., Reay, D.T., Eisele, J.W. and Bonnell, H.J.: Correlation of circumstances with pathological findings in asphyxial deaths by hanging: A prospective study of 61 cases from Seattle, Washington. J. For. Sci., 30:1140-47, October 1985.



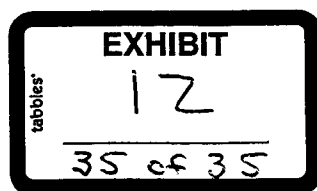
Kellerman, A. and Reay, D.T.: Protection or Peril?: An analysis of firearm-related deaths in the home. NEJM., 314:1557-1560, June 1986.

Reay, D.T., Haglund, W.D., Bonnell, H.J.: Wah Mee Massacre: The Murder of Thirteen Chinese Adults in a Seattle Gambling Club. J For. Med. & Path., 7(4):330-336, 1986

Monnat, R.J. and Reay, D.T.: Nucleotide Sequence Identity of Mitochondrial DNA from Different Human Tissues. GENE, 43:205-211, 1986

Ward, R.J., Eisele, J.W., Reay, D.T., Horton, W.G.: Hemolysis and Hyperkalemia Complicate Malignant Hyperpyrexia during Anesthetic Death. J. For. Sci., 31:543-545, April 1986

Eisele, J.W., Frisino, J., Haglund, W., & Reay, D.T.: Teenage Suicide in King County, Washington: I. Rates of Suicides for 26 Years. Am. J. For. Med. & Path., 8:208-209, September 1987



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FD-302a (Rev 11-15-83)

29D-LR-35063

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Continuation of FD-302 of BRUCE ROBERT LINDSEY . On 6/22/94 . Page 2

Arkansas and they would talk about what their life was like. LINDSEY estimated that FOSTER's level of anxiety and loneliness in connection with what he was experiencing as about comparable to what LINDSEY was experiencing and did not consider it to be inordinate.

The only time that LINDSEY recalls an incident where FOSTER seemed inordinately upset about something was the day that The Wall Street Journal published an article on either FOSTER himself or the Rose Law Firm that showed no picture of him in the usual box where The Wall Street Journal likes to put a sketch of the individual being discussed. The criticism that appeared in that article painted a shady, if not unethical, image of FOSTER and FOSTER found it extremely irritating. FOSTER had initially refused to send them a photograph but then did so but not in time for it to appear with the article. LINDSEY recalls FOSTER saying to him, "The damn thing is that I sent them a picture". LINDSEY said that by his way of thinking, it was not that big of a deal but it appeared that FOSTER had no sense of resilience or sense of humor on the matter. The article implied that FOSTER and The White House was willing to play "fast and loose" with the rules.

LINDSEY said that he knew FOSTER had lost some weight, but that he did not attribute it to anything of significance. He noted that he himself had lost 25 pounds since coming to work at The White House. He remembers one night that FOSTER got close to FOSTER's desk when HUBBELL, the President and himself were going to watch a movie at The White House and the President called FOSTER to invite him to come. Foster declined saying that his wife LISA was already ready for bed. His refusal to come to the movie did not seem significant. He remembers discussing FOSTER with WEBB HUBBELL and could only recall the sense that FOSTER needed a good weekend to rest.

At the initial meeting regarding the Travel Office, VINCE FOSTER was most defensive about WILLIAM KENNEDY's participation in the matter. FOSTER was very unhappy that KENNEDY was reprimanded with regard to the Travel Office matter. LINDSEY said that MAC MCLARTY, JOHN PODESTA, VINCE FOSTER, MARK GEARAN and possibly LEON PINNETA and BERNIE NUSSBAUM were at that meeting. The purpose of the meeting was to develop a strategy prior to the press release of the Travel Office report. FOSTER was angry about the letters of reprimand. KENNEDY was also very unhappy and LINDSEY said he thought he remembered that KENNEDY was feeling as though perhaps he should resign. LINDSEY thought



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CONFIDENTIAL

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/7/94

WEBSTER LEE HUBBELL, former Associate Attorney General, U.S. Department of Justice (DOJ), telephone (202) 429-1780 (work), was interviewed at the Office of the Independent Counsel, Washington, D.C. MR. HUBBELL was advised of the identity of the interviewing agent and of the purpose of the interview. This was a follow-up interview to his interview by the FBI and the Office of Independent Counsel on April 13, 1994. CARL STICH, Assistant to Independent Counsel, ROBERT B. FISKE, JR., assisted with the interview. Also present during the interview was JOHN NIELDES, attorney for HUBBELL. MR. HUBBELL provided the following information:

His first recollection of VINCENT FOSTER discussing the White House Travel Office matter with him was right after his (HUBBELL's) confirmation hearing in mid-May, 1993. HUBBELL recalled that the hearing was on a Wednesday and that on a Thursday or Friday night dinner after this, FOSTER told him that the Travel Office situation "looks like a mess." FOSTER indicated to HUBBELL that this was another matter starting to hit. FOSTER expressed a concern regarding whether the White House had acted properly in contacting the FBI. The issue was whether BILL KENNEDY, Associate Counsel to the President, should have called the FBI directly. FOSTER's reaction was that he didn't know what had been wrong with this. KENNEDY dealt with the FBI on a daily basis regarding nominations and it seemed reasonable he would contact the FBI with a new issue asking who it should be referred to. FOSTER didn't see anything wrong with this and discussed what the future White House policy should be as the White House was being criticized. FOSTER was upset, but not terribly so, about the criticism.

FOSTER's concern over the Travel Office matter "got worse." FOSTER expressed concern to HUBBELL that he shouldn't have handed the matter off. FOSTER wanted to take responsibility. He was not happy that the FBI report had criticized KENNEDY.

EXHIBIT

14

1 of 2

Investigation on 6/7/94 at Washington, D.C. File # 29D-LR-35063by _____ Date dictated 6/7/94

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29D-LR-35063

Continuation of FD-302 of WEBSTER LEE HUBBELL On 6/7/94 Page 2

The White House report on the Travel Office had censured BILL KENNEDY. FOSTER was very upset about this. FOSTER felt that KENNEDY was being made a "scapegoat." FOSTER had asked KENNEDY to handle the matter and felt personal responsibility.

HUBBELL was asked if he believed KENNEDY pressured the FBI. HUBBELL replied that this statement was in the FBI report but that it was hard to recall when he had first heard this. FOSTER had told HUBBELL that KENNEDY wouldn't have done this. FOSTER didn't believe that KENNEDY had pressured anybody or had threatened IRS involvement.

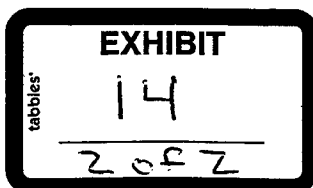
HUBBELL was asked about FOSTER's statement that the FBI had lied. HUBBELL answered that "lied" is "not a word that VINCE used."

HUBBELL was asked if he had noticed any change in FOSTER concerning the Travel Office matter. HUBBELL replied that FOSTER continued to be upset, focused on the matter and concerned that Congress was talking about holding hearings on the issue. FOSTER expressed concern that people should be hired to represent the White House. HUBBELL explained it was not that FOSTER had done anything wrong, but that he was just focused on the matter. HUBBELL said he would not describe FOSTER's reaction as anger, as he never saw FOSTER "blow up." FOSTER was "upset" that the Travel Office matter couldn't be put to bed or die and be over with. Newspaper articles, particularly the Wall Street Journal, were continuing over this issue. There were calls for files and Congressional hearings.

HUBBELL said he thought that FOSTER was overreacting to this. HUBBELL advised FOSTER to get outside counsel if that was what was needed. FOSTER was trying to get BERNARD NUSSBAUM, White House Counsel, to hire outside counsel.

FOSTER was never concerned for his personal exposure on the issue. He wanted the outside lawyer to give the matter a "fresh look."

When asked if FOSTER had hired an attorney personally, HUBBELL said that he knew FOSTER had talked with JIM LYONS and JIM HAMILTON regarding representation. HUBBELL believes he found out about this afterwards. HUBBELL said he did not know why



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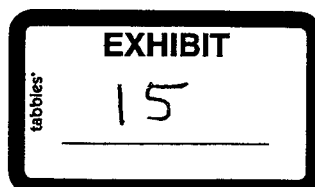
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Continuation of FD-302 of W. DAVID WATKINS . On 6/22/94 . Page 3

internal report on the Travel Office matter. WATKINS also spoke to LEON PANETTA and MCLARTY about the effect of WATKINS himself getting a reprimand. FOSTER's wife LISA had told WATKINS' wife (they were tennis buddies) that FOSTER himself was expecting a reprimand also.

WATKINS advised there was no internal hostility about the report. He frankly didn't agree with parts of the report but he did not get a sense that there was a rift within The White House staff, nor was there much talk about it among White House staffers. WATKINS advised that FOSTER didn't talk much in any case about anything. WATKINS was much more emotional overall than FOSTER. WATKINS never heard directly or indirectly that FOSTER was distressed about it, or about anything else for that matter.

WATKINS saw FOSTER at 11:00 am on Monday, July 19, 1993 as FOSTER was entering The White House. FOSTER stopped WATKINS as they were passing one another to pass on regards to WATKINS from PAM SHRIVER whom he had recently met. FOSTER's demeanor was cheerful.



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29D-LR-35063

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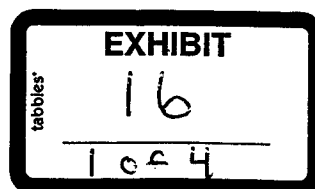
Continuation of FD-302 of ELIZABETH BRADEN FOSTER . On 5/9/94 . Page 4

LISA

FOSTER believes that FOSTER's commencement speech at the University of Arkansas Law School is a very good example of how FOSTER appeared when he was suffering such an anxiety attack. LISA FOSTER recalls that he appeared very stiff while making that address. LISA FOSTER recalls other occasions when FOSTER appeared to be suffering from some sort of panic attack. :

The other occasions when FOSTER sounded choked up and tense were when the Branch Davidian complex near Waco, Texas had burned, and the occasion of the issuance of the White House report on the Travel Office affair in which FOSTER was reprimanded.

LISA FOSTER does not recall any incidents in which FOSTER was hospitalized for physical or mental ailments. She recalls that FOSTER once cut his chin and received stitches as an outpatient. She cannot recall any other instances when FOSTER received care at a hospital.



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FD-302a (Rev. 11-15-83)

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29D-LR-35063

Continuation of FD-302 of ELIZABETH BRADEN FOSTER, On 5/9/94, Page 11

spoken about trying to go to Pennsylvania the following weekend but had not made any reservations.

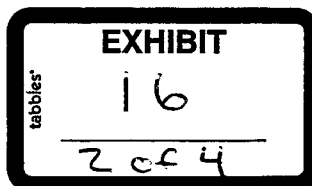
There were no domestic problems between LISA FOSTER and FOSTER during the entirety of their twenty-five year relationship.

On the evening of July 19, 1993, LISA FOSTER cooked dinner at home. When FOSTER returned home from work, he came into the house and smiled at LISA FOSTER while saying that a quarter to eight was not bad. LISA FOSTER responded to him that she was thinking that he would be home at 6:30 or 7:00 p.m. That night, FOSTER received a call from President CLINTON, who invited FOSTER to come to the White House to watch a movie. When FOSTER turned down the invitation from the President, LISA FOSTER was happy. She prepared scallops for all of the family members except for her son BRUGH, who was eating spaghetti.

FOSTER did not mention any conversations from earlier in the day of July 19, 1993 which might have disturbed him.

LISA FOSTER has some knowledge of three letters which were sent out by FOSTER from his office on July 19, 1993. LISA FOSTER is aware of a letter from FOSTER to his mother regarding some leases for mineral rights. LISA FOSTER only saw this letter after FOSTER's death because, as a result of FOSTER's mother signing the letter, LISA FOSTER inherited the mineral rights. LISA FOSTER does not recall exactly how she saw these mineral leases. One of the remaining two letters may have been for payment of a life insurance premium, but LISA FOSTER does not recall whether she or FOSTER mailed this letter.

FOSTER had never spoken to LISA FOSTER about visiting Fort Marcy Park in the past, and she had never heard of the park prior to her husband's death.



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CONFIDENTIALContinuation of FD-302 of ELIZABETH BRADEN FOSTER . On 5/9/94 . Page 12

LISA FOSTER does not know whether VINCENT FOSTER ever visited Fort Marcy Park prior to the day of his death but she doubts it.

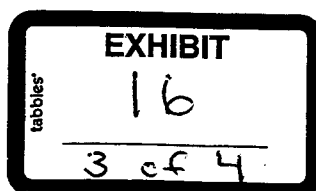
LISA FOSTER has no idea what her husband did after he left the White House on July 20, 1993. She has checked both gas receipts and credit card receipts, but no purchases or other clues have been identified.

LISA FOSTER had no contact, including telephone calls, with her husband after he left their home on the morning of July 20, 1993. LISA FOSTER recalls one unusual event that morning which was that FOSTER asked her what she was going to be doing that day. It was uncommon for FOSTER to ask her about her plans, and it was also memorable to her that he asked because she was unusually busy that day.

LISA FOSTER is not aware of FOSTER returning home after leaving his office at the White House on July 20, 1993. It is her opinion that he did not return home on that date.

LISA FOSTER is not aware of any particular local spots frequented by FOSTER, such as restaurants or bars, which might assist investigators in attempting to trace FOSTER's activities on July 20, 1993. A Washington restaurant, La Tomate, was the only place where FOSTER would eat out during the business day.

On July 20, 1993, LISA FOSTER played tennis at approximately 8:30 a.m. At 11:45 a.m., she attended a meeting relating to multiple sclerosis. Prior to attending the meeting, LISA FOSTER woke her son so that he could drive her to the meeting. DONNA KAY MCLARTY had also invited LISA FOSTER out. LISA FOSTER had been in Washington for approximately six weeks, but she and MCLARTY had not seen each other much, so they agreed to go to a restaurant at the Four Seasons Hotel for lunch. At approximately 3:30 p.m., LISA FOSTER and MCLARTY took a taxi back to FOSTER's house. From there, LISA FOSTER and MCLARTY went to the MCLARTY residence where their respective sons met with each other. At approximately 5:00 p.m., LISA FOSTER returned home and called the White House to speak to her husband. LISA FOSTER thought that it was NANCY HEMREICH's week to be at the office, but she was told by DEBORAH GORHAM that HEMREICH's week would be the following week. GORHAM told LISA FOSTER that FOSTER was unavailable to come to the phone.



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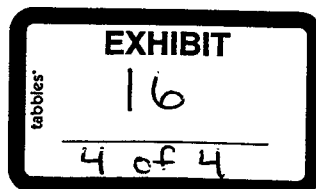
Continuation of FD-302 of ELIZABETH BRADEN FOSTER . On 5/9/94 . Page 13

FOSTER had never spoken with LISA FOSTER before about suicide and he had never attempted suicide before. LISA FOSTER believes that her husband took his life because he was so terribly depressed.

LISA FOSTER has no doubts that her husband took his own life and she had no such doubts on the night of July 20, 1993.

In terms of other drugs which may have been prescribed for FOSTER in the past, LISA FOSTER is aware of the sleeping pill Restoril having been prescribed. She also recalls that an antibiotic was prescribed for FOSTER in approximately December 1992. LISA FOSTER recalls that Feldene was prescribed for treatment of FOSTER's tennis elbow.

LISA FOSTER is aware that her husband took one 50 milligram dose of Trazadone on the evening of July 19, 1993 because she told her husband to take one pill and she watched him take it. She does not know if he took any sleeping pills on that evening. On the morning of July 20, 1993, FOSTER told LISA FOSTER that he did not go out for a jog because it would take him too long to cool off. LISA FOSTER notes that her house has only one bathroom for such a large family. She notes further that, due to her relatively early departure from home on July 20, 1993, there were several family members attempting to use the single bathroom during the same period of time.



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HEARINGS RELATING TO MADISON GUARANTY S&L AND THE WHITEWATER DEVELOPMENT CORPORATION—WASHINGTON, DC PHASE

VOLUME I

FRIDAY, JULY 29, 1994

**U.S. SENATE,
COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS,
Washington, DC.**

The Committee met in room 106, of the Dirksen Senate Office Building at 10 a.m., Senator Donald W. Riegle, Jr. (Chairman of the Committee) presiding.

OPENING STATEMENT OF CHAIRMAN DONALD W. RIEGLE, JR.

The CHAIRMAN. The Committee will come to order. Let me invite all those that are standing to find seats so that we can begin.

Good morning to everyone and welcome to all those in attendance this morning. Today, the Senate Banking Committee begins the public hearing phase of our inquiry on the so-called Madison Guaranty/Whitewater matter. We do so under specific legislative instructions from the full Senate. Senate Resolution 229 mandated this inquiry and it instructed our Committee to begin these public hearings by today, July 29, 1994.

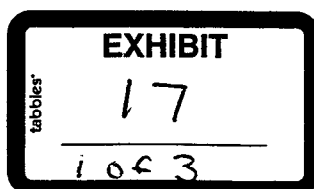
The scope of our present effort was carefully defined by the Senate Resolution 229 to pursue only three specific matters in order to not interfere or compromise in any way the full-scale inquiry being directed by Independent Counsel, Robert B. Fiske, Jr.

Now, Mr. Fiske's effort began on January 20, 1994, when Attorney General Janet Reno announced the appointment of this respected former prosecutor to serve as Independent Counsel to investigate allegations relating to Whitewater/Madison. He has full Federal authority to prosecute any violations of both civil and criminal laws.

On March 7, then, Mr. Fiske, aware that some in Congress were pressing for hearings on this subject, wrote to our Committee requesting that we not hold hearings that might compromise his investigation and jeopardize any later prosecutorial efforts he might undertake. The Senate itself recognized the importance and the primacy of Mr. Fiske's concerns on March 17 by a unanimous vote of 98 to zero.

The Senate passed a resolution authorizing hearings into all matters related to Whitewater but carefully provided that any Senate hearings should, and I quote:

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The CHAIRMAN. Senator D'Amato.

Senator D'AMATO. Mr. Monroe, on the day that Vince Foster took his own life, a search warrant obtained for David Hale's office in Arkansas, I believe, was issued; is that correct?

Mr. MONROE. That's correct.

Senator D'AMATO. Do you know when the paperwork for that search warrant was undertaken and how long it took? Did you interview people in the U.S. Attorney's Office to ascertain how long that took?

Mr. MONROE. I'm not familiar with exactly how long it took, Senator.

Senator D'AMATO. Did you interview people down there to see if there was any leak as it relates to that information being put out?

Mr. MONROE. I don't recall, Senator, how many people we interviewed but we uncovered no evidence to the effect that Mr. Foster was aware of the issuance of that particular search warrant.

Senator D'AMATO. Mr. Hale's attorney called the White House or called Mr. Foster. There was some talk about that. If you have any information, I'd like to know about it.

Mr. MONROE. I do not, Senator.

Senator D'AMATO. Has that been looked into?

Mr. MONROE. Yes, sir.

Senator D'AMATO. And we have no information with regard to that call from Mr. Hale's attorney?

Mr. MONROE. I have no information in our investigation that there was any contact between Mr. Hale and Mr. Foster, Senator.

Senator D'AMATO. Let me ask this: There's a question about the manner—

Mr. MONROE. Senator, excuse me. There were two parts to that. Of course, the search warrant was issued, as you know, sir, on July 20, but the warrant was not effected until July 21, which would have been the day after his death, sir.

Senator D'AMATO. The question is would that have come to anybody's knowledge? Did he get a phone call from Mr. Hale's lawyer? I don't know. Did the FBI ever attempt—

The CHAIRMAN. Do you want to answer that question?

Mr. MONROE. Yes, I would, Senator. We have no information or evidence that Mr. Foster received any telephone call—

Senator D'AMATO. Did any White House personnel get a phone call from Mr. Hale's lawyer.

Mr. MONROE. I'm not aware of that, sir, but, of course, we are still continuing the investigation as to the follow-up in the White House after Mr. Foster's death, sir.

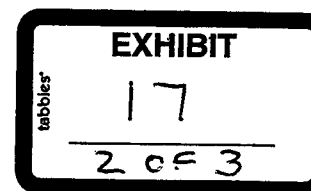
Senator D'AMATO. You'll let us know, then?

Mr. MONROE. Absolutely.

Senator D'AMATO. I'll leave that an open question.

Did the FBI ever attempt to determine what time Mr. Foster departed the White House and do we know if the Secret Service keeps a vehicle exit log?

Mr. MONROE. Sir, all of our information right now suggests that Mr. Foster departed the White House on July 20 at approximately 1 p.m. Whether or not that departure time was based on interviews or a log by the Secret Service, I am not aware of that, sir, but we know that he left about that time.



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Senator D'AMATO. Would you be able—I mean, this investigation, as it relates to the circumstances surrounding Mr. Foster's death, wouldn't you look at the vehicle departure log to determine what time he may have left? Is that a routine thing?

Mr. COLOMBELL. Senator, I don't believe the vehicle was logged out of the White House. I don't believe it was parked in an area where it would have been logged out of the White House. We confirmed that he left around 1 to 1:15 p.m. I can assure you that I personally and a number of other agents made every effort to try to determine his activities after that point in time up, until the point in time that his body was discovered at Fort Marcy Park.

We were unable to do that. We had witnesses who possibly might have placed him at the park at an earlier time. But because of the passage of time, we could not confirm through interview of those witnesses that that was, in fact, Mr. Foster's car that was observed going into the park at an earlier point in the day.

The CHAIRMAN. Could you pull the mike a little closer for any further responses. Thank you.

Mr. COLOMBELL. Certainly, Senator.

Senator D'AMATO. Although it's not mentioned in the report of the Independent Counsel, a pager was found on Mr. Foster in Fort Marcy Park. The record also shows that the Secret Service arranged to remove the pager from the Park Police custody the night of Foster's death before any analysis of the pager could be done by Park Police investigators to see whether any numbers were retained in the pager's memory.

Do you know why the pager was recovered so quickly by the White House after the death of Mr. Foster? Could the pager have contained some numbers called in previously? Did you learn if usual Park—was this the usual Park Police—procedures were followed or were they circumvented?

Mr. COLOMBELL. Our investigation confirmed that there had been pages that went out to Mr. Foster from staff members of the White House, and I stand corrected, but I believe it was either Mr. Nussbaum or members of his office that might have attempted to page him. I would like to—rather than provide information that I'm not absolutely sure of—provide the Committee with a supplemental follow-up on information that might be pertinent with regard to that question, Senator.

Senator D'AMATO. Why don't I give you these questions in writing and then if you could ascertain where that pager went, how it went, under whose direction, what took place to it, was there a check made for numbers. Did it go to White House personnel? How come it was removed from the body? Is that usual procedure?

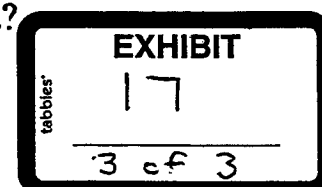
Mr. COLOMBELL. I think that's a question, if you're saying is that usual U.S. Park Police procedure, I would respectfully submit that you ask the Park Police that question. It is my understanding that the pager was returned by the Park Police. And as I mentioned, I would prefer to be able to provide a more complete response in writing if I could, sir.

Senator D'AMATO. Fine. All right, Mr. Chairman.

The CHAIRMAN. Thank you, Senator D'Amato.

Does anyone on our side seek recognition at this point?

Senator Sarbanes.



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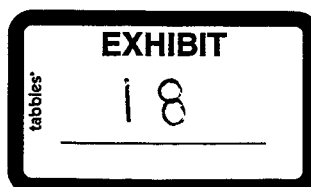
29D-LR-35063 SUB A

Continuation of FD-302 of SUSAN T. THOMASES On 6/14/94 Page 2

CLINTON administration, got to know VINCENT FOSTER fairly well.

She last saw VINCENT FOSTER on Wednesday or Thursday before his death. She believes that they had lunch together with some other people in Washington. She recalls him mentioning he planned to take a weekend trip to the eastern shore of Maryland. She noted no change in his demeanor or physical appearance but was aware that he was working very hard and was under considerable pressure. His death came as a complete shock to her and she can offer no reason or speculation as to why he may have taken his life.

Ms. THOMASES continues to regard HILLARY and BILL CLINTON as friends and visits with them from time to time when she is in Washington.



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FD-302 (Rev. 3-10-82)

CONFIDENTIAL

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/12/94

NANCY V. HERNREICH, Deputy Assistant to the President for Appointments and Scheduling, was interviewed in the Office of the Special Counsel, 1001 Pennsylvania Avenue, NW. Ms. HERNREICH was advised as to the official identities of the interviewing agents and of the nature of the interview. She then provided the following information:

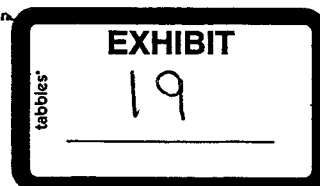
She has handled appointments and scheduling for BILL CLINTON since 1985, having first taken this job while CLINTON was Governor of the state of Arkansas. While she was not involved in BILL CLINTON's Presidential campaign, once he was elected to the Presidency, she was asked to come to Washington, D.C. and assume her current position in the CLINTON Administration as of January 20, 1993. When asked to describe her position, she said that she is often regarded as "somewhat of a gate keeper" for BILL CLINTON.

Ms. HERNREICH said that she had known VINCE FOSTER since 1991 but did not know him very well at all while they were in Little Rock. She got to know VINCENT FOSTER much better once the two of them moved to Washington, D.C. to take positions in the Administration. She explained that she was part of a group of "Arkansans" working within the Administration who regularly went to dinner as a group after work on Tuesdays. She said that VINCENT FOSTER was also a member of this group and she would describe their relationship as "friendly but not close". She said that while she can recall seeing no changes in VINCENT FOSTER's physical or psychological presence, she does not feel comfortable making such judgements considering that their relationship was not particularly close. She added that FOSTER had been working very long hours and was "under constant pressure" as many members of the Administration were doing that period. She said that, in retrospect, she can see how the long hours and constant pressure could have bothered him a great deal. She described FOSTER as a "private man who didn't let many people in". She further described him as being "handsome, shy, and an elegant man". She said that FOSTER had a "self deprecating sense of humor" and was at times seen by some people as being

Investigation on 6/9/94 at Washington, D.C. File # 29D-LR-35063 SUB A

by _____ Date dictated 6/9/94

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/9/94

MARSHA SCOTT was interviewed on June 9, 1994 at the office of her attorney, STUART F. PIERSON, of DAVIS, WRIGHT, TREMAINE, 701 Pennsylvania Avenue, NW, Suite 600, Washington, D.C. 20004, telephone 202-508-6623. Present during the interview, aside from SCOTT, was her attorney STEWART PIERSON and MARK STEIN of the Office of the Independent Counsel. Being acquainted with the identity of the interviewing agent and the nature and purpose of the interview, SCOTT provided the following information:

SCOTT advised that in July 1993, her office was in the Old Executive Office Building and that she came to The White House on a daily basis to conduct business. She frequently went over to say "hi" to VINCE FOSTER, Jr. and normally she did it in the afternoon because mornings were very busy for her. She recalls that on July 19, 1993, she visited FOSTER but did not recall what time of day it was. It was most likely early afternoon but she is not sure. She would also frequently visit BILL CLINTON, NANCY HERNRAICH and others, sometimes even HILLARY CLINTON. But she doesn't remember if she saw any other individual on July 19.

She recalls FOSTER that day sitting behind his desk and the most notable thing about it was that he did not get up and greet her as he normally did. She said that when she entered the office usually he would stand up, she would kiss him on the cheek, get a hug and joke with him. She recalled that on July 19, he didn't get up and although she did not attach significance to it at the time, with hindsight, she realizes that that was something different. She said that she had a sense of detachment from him but it was nothing that caused her antenna to go up. She does not recall whether the door was opened or closed but explained that meetings in his office were private even if the door was open because of the physical configuration of the office. SCOTT explained that she stopped by because she wanted to ask him how he enjoyed the weekend. She knew that he had had a good weekend from having talked to somebody else (she couldn't recall who and wanted to ask him if he had had as much fun as

Investigation on 6/9/94 at Washington, D.C. File # 29D-LR-35063

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by _____ Date dictated 6/9/94

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Continuation of FD 302 of MARSHA SCOTT . On 6/9/94 . Page 2

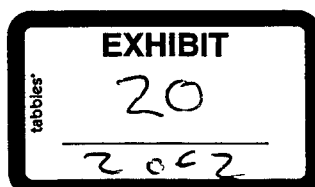
others said that they had had. She commented that she is friends with the CARDOZOS and WEBB and SUSIE HUBBELL also with LISA and FOSTER children.

SCOTT explained that with regard to her recollection or lack of recollection as to the meeting that took place between her and FOSTER, she said that she hoped everybody would understand that that was an incredibly painful time and her way of dealing with matters such as that is to block it out. She remembers impressions, she does not remember specific conversations.

The overwhelming memory for her of FOSTER's death and the days before and after is that she was truly shocked. She believed that he committed suicide. In fact, she believed that was so from the time she talked with the Park Police on July 20, 1993. One of the reasons why she was so shocked that he would commit suicide is that FOSTER believed in the power of words and he loved being a lawyer and she along with others just couldn't believe that he would have taken his own life without having reached out to his friends.

She said that during the meeting on July 19, he did not appear distracted or otherwise distressed. She explained that FOSTER could be very focused when he was involved in something and she knew that she had interrupted his train of thought when she entered the room but he didn't give her an indication that she had come at a bad time, otherwise, she would have left. They did not, however, have a heart-to-heart talk. SCOTT said that FOSTER did not have heart-to-heart talks in his office or ever by her standards. FOSTER was mysterious and that made him intriguing.

SCOTT said it varied how often she would see FOSTER. It was sporadic depending upon what was going on at The White House, but she saw him frequently. She noticed changes in everybody from the Arkansas group. She said that everybody over time, during the six months, got tighter and tenser, with "the men getting skinner and the women getting fatter". She said that she personally didn't notice his weight loss. She put together a collection of photographs for LISA FOSTER after FOSTER's death and it was LISA who pointed out to her that FOSTER had lost weight. Most of her conversations with LISA FOSTER since July 1993 have been comprised of LISA's questioning as to why this could have happened and what could have triggered it.



OIC 000390

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NATIONAL PARK SERVICE

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

JUVENILE CASE 0

INCIDENT AREA United States Park Police	DATE OF OCCURRENCE 07/20/93	MO 07	DAY 20	HR 09:30	YEAR 93	CASE/INCIDENT NUMBER -310151012
NATURE OF INCIDENT Death Investigation	CLASSIFICATION OF INCIDENT					

RESULTS OF INVESTIGATION

On Thursday, August 22, 1993, Detective [Pete Markland] and I responded to the White house to meet with Special Agents Scott Salter and Dennis Condon of the FBI to conduct interviews. The purpose of the interviews were to reconstruct the final hours of Vincent Foster's life.

We started the interview at approximately 0900 hours. Ms. Pond got in to work at around 0900 hours on Tuesday, July 20th. Usually there is a staff meeting of the counsel's office from 0900 to 0945 hours each morning that Vincent Foster would attend. She assumed he was at the staff meeting as she didn't see him when she arrived at work. She first recalled seeing him outside in the Rose Garden. The President was nominating Judge Freeh at the ceremony as the new director of the FBI.

She doesn't recall Vincent Foster having any visitors on Tuesday. The first conversation she had with him was about lunch around 1200-1230 hours. He said he would eat at his desk. He ordered a medium rare cheeseburger, french fries and coke. She and Linda Tripp went to the cafeteria and ordered his lunch. She recalled there were M & M's on the tray with the food because Linda wanted them. He sat on his sofa and ate lunch in his office.

At around 1300 hours he came out of the office and stated "I'll be back, there are M & M's left in my office". Ms. Pond recalled that she and Linda were in the office when he left. She wasn't sure if Tom was in the office or not. Tom Castleton is a young college graduate working in the office. There was nothing unusual about his emotional state. In fact, over the last several weeks she did not notice any changes, either physically or emotionally. She noticed no weight lost. She was unaware of him taking any medication or seeing any doctors. I asked her would she be surprised if I found out he was seeing a psychiatrist. She said yes. She was not aware of any depression problems. She had no information whether he owned any weapons.

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EXHIBIT

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10 WARRANTS <input type="checkbox"/> YES <input type="checkbox"/> NO	11 CLARIFY <input type="checkbox"/> CLARIFY <input type="checkbox"/> PHOTOS	12 INVESTIGATOR NOTIFIED	13 INVESTIGATOR NOTIFIED	14
15 STATUS <input type="checkbox"/> OPEN <input type="checkbox"/> SUSPENDED <input type="checkbox"/> CLOSED BY	16 ARREST	17 RECEPTION	18 UNFOUNDED	
19 REPORTING OFFICER	SADGNO	DATE	20 INVESTIGATOR SADGNO	DATE

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FD-302a (Rev. 11-15-83)

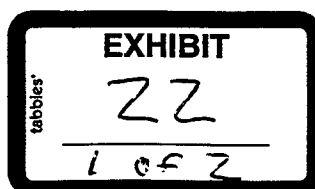
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29D-LR-35063 SUB A

Continuation of FD-302 of Dr. Larry S. Watkins . On 5/16/94 . Page 2

The last time that Dr. WATKINS talked to FOSTER was when FOSTER called him sometime mid-day between 10:00 am and 2:00 pm on July 19, 1993. It was very unusual, in fact unprecedented, for FOSTER to call the doctor directly. Usually patients, including FOSTER, would pass messages and get what they needed through a nurse for efficiency's sake. This time, however, FOSTER insisted on speaking with WATKINS. He complained of loss of appetite and insomnia; he wasn't eating well and when WATKINS asked him if he was depressed, he said yes. WATKINS recalled that FOSTER sounded a little tired. They discussed depression and FOSTER knew that he was being prescribed an anti-depressant.

WATKINS prescribed Desyrel, 50 milligram tablets, which he knew to be the generic drug Trazodone, a tricyclic anti-depressant. He chose Desyrel because it does not have side effects and is helpful for insomnia. WATKINS knew that it took 10 days to two weeks to take effect but helps with insomnia,



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29D-LR-35063 SUB A

Continuation of FD-302 of Dr. Larry S. Watkins On 5/16/94 Page 3

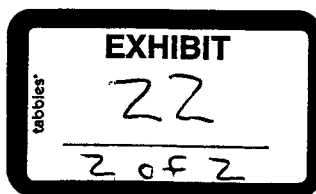
sometimes the very first day. He felt it was very important for FOSTER to start sleeping better and thought that if he got some rest that he would feel a lot better. He did not think that FOSTER was significantly depressed nor had Foster given the impression that he was "in crisis". From what FOSTER told him, FOSTER's condition sounded mild and situational. WATKINS advised that he was only a little bit alarmed in that FOSTER had insisted on talking to him directly instead of discussing things through his nurse.

After FOSTER's death, WATKINS spoke with a psychiatrist and asked him whether any suicides had been linked to Desyrel and was told they had not. WATKINS advised he was particularly glad, in retrospect, that he had not prescribed Prozac, inasmuch as Prozac has been associated with some suicides. He advised that he did not even ask FOSTER if he had thought about suicide or was having any suicidal ideation because the symptoms that FOSTER was describing were not severe enough to cause WATKINS to think that he might be in that state. WATKINS handles depression all the time among his patients. He said that it is a very, very common thing. He had told FOSTER to let him know how he was doing and was not particularly concerned about follow-up because he knew that either FOSTER would get back to him or WATKINS would find out through LISA how FOSTER was doing because his contact with the family was fairly frequent. He was aware that LISA and VINCE FOSTER had discussed the Desyrel. He did not know whether he had told LISA beforehand that he had called Dr. WATKINS and discussed depression but he knew that LISA knew about it after the fact and they had discussed it.

WATKINS advised that he never prescribed beta blockers for FOSTER to help him with stress, which he would do for some attorneys during litigation or other high stress periods to calm them down. He also advised that FOSTER never showed any indication of having problems with drugs or alcohol (one to two glasses of wine per day).

FOSTER's weight in 1987 was 200 pounds. As of August 1990 he was 207 pounds. His weight on December 31, 1992 was 194 pounds and WATKINS had made a note that he was on a diet and exercising.

WATKINS described FOSTER's personality as quiet, and passive, with a good sense of humor and a dry wit--someone who laughed a lot. FOSTER was not one to come to WATKINS with stress

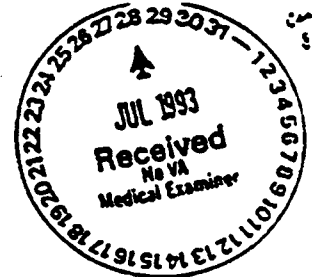


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COMMONWEALTH OF VIRGINIA
DEPARTMENT OF HEALTH
OFFICE OF THE CHIEF MEDICAL EXAMINER
NORTHERN VIRGINIA DISTRICT
9797 BRADDOCK ROAD
SUITE 100
FAIRFAX, VA 22032-1700
PHONE (703) 764-4640



Autopsy No. 353/93
Date 7/21/93
Time 10:00 A.M.

REPORT OF AUTOPSY

DECEDENT	VINCENT	FOSTER
	First	Middle Last
Autopsy Authorized by:	Dr. Donald Haut - Fairfax County	
Body Identified by:	U.S. Park Police Tag - 7/20/93	
	Persons Present at Autopsy: James C. Beyer, M.D.; Det. James G. Morrisette, U.S. Park Police	
Rigor:	complete <u>X</u>	jaw <u> </u> neck <u> </u> arms <u> </u> legs <u> </u>
Livor:	color <u>pale red</u>	distribution: <u>posterior</u>
Age <u>48</u>	Race <u>W</u>	Sex <u>M</u> Length <u>76 1/2</u> " Weight <u>197</u> Eyes <u>hazel</u> Pupils: R <u>RRE</u> L <u>RRE</u>
Hair <u>graying black</u>	Mustache <u>no</u>	Beard <u>no</u> Circumcised <u>yes</u> Body Heat <u>cool</u>

Clothing, Personal Effects, External wounds, scars, tattoos, other identifying features: See attached sheet.

PATHOLOGICAL DIAGNOSIS:

CARDIOVASCULAR SYSTEM: Heart, no evidence of hypertrophy, valvular or congenital abnormalities. Epi and endocardium, no evidence of fibrosis or inflammation. Coronary arteries, normal origin and distribution; no significant alteration all segments. Myocardium, no evidence of fibrosis, inflammation or infarction. Aorta, minimal arteriosclerosis.

RESPIRATORY SYSTEM: Larynx, trachea and bronchi, no evidence of trauma, obstruction or inflammation. Lungs, pulmonary congestion; aspiration or blood. No evidence of inflammation or pulmonary artery emboli. Hemidiaphragms intact.

LIVER: No evidence of trauma or inflammation.

SPLEEN: No evidence of trauma.

PANCREAS, ADRENAL AND THYROID GLANDS: No significant alteration.

G.I. TRACT: No evidence of trauma, hemorrhage or inflammation.

GENITOURINARY TRACT: Kidneys, no evidence of trauma or inflammation. Urinary bladder and genitalia, no significant alteration.

HEAD: Perforating gunshot wound - entrance in mouth in posterior oropharynx with wound track extending backward and upward with exit from back of head.

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CONTENTS NOT TO BE DUPLICATED

Cause of Death:

PERFORATING GUNSHOT WOUND MOUTH - HEAD

Provisional Report

Final Report

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

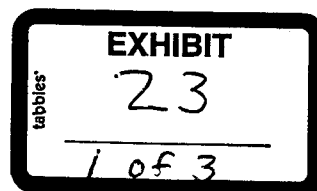
July 23, 1993
Date Signed

NO VA ME OFFICE
Place of Autopsy

J. C. Beyer
Signature of Pathologist
James C. Beyer, M.D.

CME Form No. 10- Revised 6/89

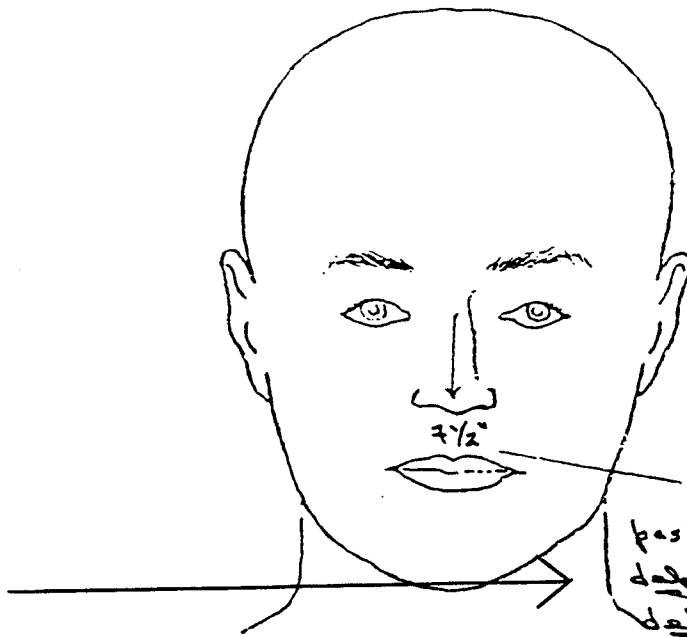
A COPY TESTE: JUL 28 1993
J. C. Beyer



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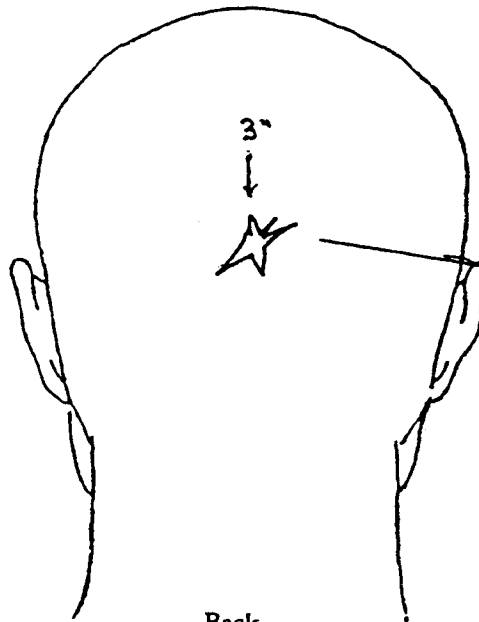
cont
8/1/93

BODY DIAGRAM—HEAD



Front

Entrance - mouth -
posterior oropharynx - large
defect - soft palate
defect / powder debris
identified.



Back

Perforating
Gunshot wound

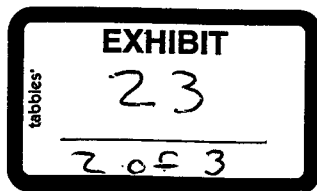
Exit wound -
Irregular wound
1 1/4" x 1"

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Decedent's Name Vincent Fastea

Examined

By J. C. Beyan Date 7-21-93



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GUNSHOT WOUND CHART

Name Vincent Foster City or County Harford

		FOUND NO.											
		1		2		3		4		5		6	
		Est.	Ex.	Est.	Ex.	Est.	Ex.	Est.	Ex.	Est.	Ex.	Est.	Ex.
1. Location of wound:	Head	mark	mark										
	Neck												
	Chest												
	Abdomen												
	Back												
	Right Arm <												
	Left Arm <												
	Right Leg <												
2. Size of wound:	Diam.												
	Width		1										
	Length		1/4										
3. inches from wound to:	Top of head	2 1/2	3										
	Right of midline												
	Left of midline												
4. Powder burns:	On skin	mark	mark										
	Clothing												
	Abdom.												
5. Direction of bullet through body:	Backward		✓										
	Forward												
	Downward												
	Upward		✓										
	To right												
6. Bullet found:	Calibre												
	Shotgun												

Photographs made: Yes No

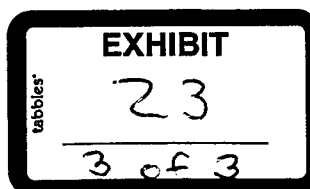
X-rays made: Yes No

REMARKS:

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Examined by: H. C. Boyer

Date: 7-21-93



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7/30/93 C 2:25 A.M.

Dr. Byer

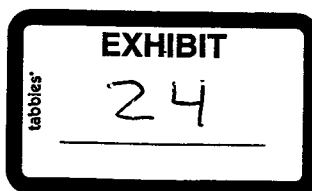
Tox report
 (Toxicologist report)

is ready - has been mailed
 . negative for alcohol,
 cocaine, the usual.

"Everything is consistent with suicide"
 and everything is negative.

? May have been tested for and probably?
 Wouldn't show up. ?

132



2179



Department of General Services
DIVISION OF FORENSIC SCIENCE

CERTIFICATE OF ANALYSIS

July 26, 1993

ORIGINAL
Received
Northern Laboratory
9797 Braddock Road # 100
Fairfax, Virginia 22032
Tel. No. (703) 786-4600
Fax: (703) 786-4633
TDD/Voice: (804) 786-6152

TO: DR JAMES C BEYER
OFFICE OF THE CHIEF MEDICAL EXAMINER
NORTHERN VIRGINIA DISTRICT
9797 BRADDOCK ROAD # 100
FAIRFAX VA 22032

cc: Dr. Haut

Your Case # 93-353

FS Lab # NL93-4271

Victim(s): FOSTER, Vincent

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Suspect(s): - - -

Evidence Submitted By: Dr. J. C. Beyer

Date Received: 7/21/93

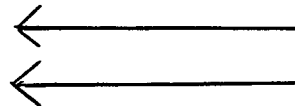
All evidence had been sealed upon receipt.

1 vial blood, 1 vial vitreous humor, 1 container blood,
1 container urine, 1 container liver.

RESULTS:

BLOOD, VITREOUS HUMOR AND URINE: Negative for alcohols and ketones.

BLOOD: - Phencyclidine, Morphine, Cocaine and Benzoyllecgonine: NOT DETECTED.



- Other alkaline extractable drugs (benzodiazepines, synthetic narcotics,
tricyclic antidepressants and analgesics): NOT DETECTED.

- Acidic and neutral drugs (salicylates, barbiturates, hydantoins, carbamates
and glutethimide): NOT DETECTED.

URINE: - Drug screen (salicylates, phenothiazines and ethchlorvynol): NOT DETECTED.

ATTEST:

I certify that I performed the above analysis or examination as an employee of the Division of Forensic Science and that
the above is an accurate record of the results of that analysis or examination.

Ann N. Huynh, Pharm.D.
Toxicologist

ANH/ps

A COPY TESTE JUL 29 1993

Assistant Chief Medical Examiner

EXHIBIT
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EXHIBIT
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HEARINGS RELATING TO MADISON GUARANTY S&L AND THE WHITEWATER DEVELOPMENT CORPORATION—WASHINGTON, DC PHASE

VOLUME I

FRIDAY, JULY 29, 1994

**U.S. SENATE,
COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS,
Washington, DC.**

The Committee met in room 106, of the Dirksen Senate Office Building at 10 a.m., Senator Donald W. Riegle, Jr. (Chairman of the Committee) presiding.

OPENING STATEMENT OF CHAIRMAN DONALD W. RIEGLE, JR.

The CHAIRMAN. The Committee will come to order. Let me invite all those that are standing to find seats so that we can begin.

Good morning to everyone and welcome to all those in attendance this morning. Today, the Senate Banking Committee begins the public hearing phase of our inquiry on the so-called Madison Guaranty/Whitewater matter. We do so under specific legislative instructions from the full Senate. Senate Resolution 229 mandated this inquiry and it instructed our Committee to begin these public hearings by today, July 29, 1994.

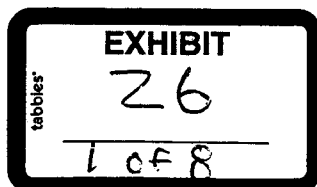
The scope of our present effort was carefully defined by the Senate Resolution 229 to pursue only three specific matters in order to not interfere or compromise in any way the full-scale inquiry being directed by Independent Counsel, Robert B. Fiske, Jr.

Now, Mr. Fiske's effort began on January 20, 1994, when Attorney General Janet Reno announced the appointment of this respected former prosecutor to serve as Independent Counsel to investigate allegations relating to Whitewater/Madison. He has full Federal authority to prosecute any violations of both civil and criminal laws.

On March 7, then, Mr. Fiske, aware that some in Congress were pressing for hearings on this subject, wrote to our Committee requesting that we not hold hearings that might compromise his investigation and jeopardize any later prosecutorial efforts he might undertake. The Senate itself recognized the importance and the primacy of Mr. Fiske's concerns on March 17 by a unanimous vote of 98 to zero.

The Senate passed a resolution authorizing hearings into all matters related to Whitewater but carefully provided that any Senate hearings should, and I quote:

(1)



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I have serious concerns over such an extensive dialog occurring between the White House and regulatory officials responsible for directing and investigating civil and criminal charges. What was the purpose of these meetings? What influence did they have on the regulators, if any? Did they compromise the independent judgment and decision of the regulators or the independence of the agencies themselves? Were these contacts improper and did they violate any Government ethics rules or regulations?

I believe that the Executive Branch should not interfere with or influence in any manner civil or criminal investigations conducted by the RTC. That's a matter of public policy.

I'm deeply disturbed with evidence that important and necessary policy decisions at the RTC may have been directed by purely personal political damage control considerations. During the time in question, the Department of the Treasury was basically running the RTC with all press, legislative and legal functions, core agency functions being administered by Treasury.

We set up the RTC here in Congress as an independent agency for a number of purposes, among which would prevent the politicization of civil and criminal cases that may arise from the failure of a particular savings and loan.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Shelby.
Senator Faircloth.

OPENING STATEMENT OF SENATOR LAUCH FAIRCLOTH

Senator FAIRCLOTH. Thank you, Mr. Chairman.

On January 20, Janet Reno appointed Robert Fiske to investigate her boss, President Clinton. Because of Robert Fiske, the Banking Committee can only talk about two things at this hearing: First, the handling of the criminal referral that named the Clintons as possible beneficiaries of criminal activities. Second, the investigation into the suicide of Vince Foster and whether or not the Clinton Administration attempted to influence that investigation.

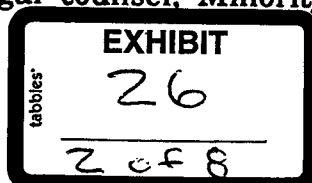
Because of Robert Fiske, we cannot talk about Bill and Hillary Clinton's Whitewater partnership and how they benefited from tax-back money diverted from Madison Guaranty Savings & Loan.

Because of Robert Fiske, we cannot talk about Hillary Clinton's influencing a regulator to keep that savings and loan open, despite the fact it was insolvent and should have been shut down.

Because of Robert Fiske, we cannot talk about how that interference helped cost the American taxpayers over \$60 million.

Because of Robert Fiske, we cannot talk about how the convicted cocaine distributor Dan Lassiter bankrolled the Clinton campaigns, paid off the President's half-brother's drug debts, and then got sweetheart bond deals from the State of Arkansas.

Robert Fiske was appointed Special Counsel only after months of stonewalling by the President and according to Roger Altman's diaries, by the First Lady also. Even then, it was only after the investigatee, Bill Clinton, decided he was ready to be investigated—rather he could not prolong it any longer, that Fiske was appointed. Fiske's independence has been seriously questioned. President Clinton's former legal counsel, Minority Senator Nuss-



baum, recommended his friend Robert Fiske for a job with former Iran prosecutor, Lawrence Walsh.

Nussbaum and Fiske have worked on the same side together in at least two legal cases. Robert Fiske's law firm represented the company that sold the land to Bill Clinton's Whitewater partnership. Bernard Nussbaum also consulted with Robert Fiske on at least two high-level Administration appointments.

One was the nomination of Louis Freeh to be the director of the FBI, an agency that would later assist Fiske's investigation.

Now, Robert Fiske is supposed to be investigating Nussbaum. What's more, Robert Fiske also worked with President Clinton's lawyer in Paula Jones's sexual harassment case, Robert Bennett. They worked together on a case involving the Bank of Credit and Commerce International, also known as BCCI.

BCCI was a scandal-plagued \$10 billion bank failure that has been implicated in alleged wrongdoing involving the Arkansas phase of Whitewater, which Robert Fiske has banned us from even talking about here today.

Despite the fact that Robert Fiske can investigate any crime, he would not investigate the commodity trading activities of Hillary Clinton when she took a \$1,000 initial investment and turned it into a \$100,000 profit with the help of a lawyer from Tyson Foods.

Robert Fiske would not investigate Hillary Clinton's commodity trades because he said the statute of limitations on securities fraud had expired. Yet if there was security fraud, there was also probably tax fraud and there is no statute of limitations on tax fraud.

Still, Robert Fiske would not even investigate. Robert Fiske's response to media requests for documents that they were legally entitled to under the Freedom of Information Act was to stonewall. Robert Fiske's response to the Senate request for documents to prepare for this hearing was to send only part of the documents, and even then, whole sections were missing from the documents that were sent. The lawyers called this redaction. But common sense tells you it is hiding information that would be embarrassing to the Clintons.

When the Clinton White House asked Robert Fiske to allow them to review documents in order to prepare for these hearings, Robert Fiske provided them documents back in May. The Fiske Report we have here today is a superficial document that says a lot more about the White House and Robert Fiske than it does Vince Foster.

The American people deserve better.

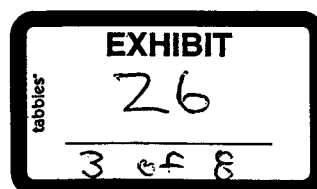
One last point. The cover-up continues here today. Captain Charles Hume of the Park Police said at his deposition that he would be available to be a witness, that he could be reached at any time. And now the chief of the Park Police says he cannot find Charles Hume, cannot find him today. We will say more about this later, but the U.S. Park Police need to know that this will not go away.

I thank you.

The CHAIRMAN. Thank you, Senator Faircloth.

I might say that issue has arisen a couple times and I want to provide a little information on it.

On July 28, yesterday, the Park Police informed the Committee by letter that Captain Charles Hume, who went to the White



this Committee by Mr. Altman and the series of explanatory letters that followed.

I'm hopeful, however, that today's hearing focusing on the tragic death of Vincent Foster can be conducted in a manner which will not unnecessarily add to the personal grief his family has already endured. This is not the time, nor the place for sensationalism. I did not know Mr. Foster but from what I've heard about him, he was a good man who came to Washington to serve his President and his country.

Mr. Fiske concluded, and I quote:

That Vincent Foster committed suicide in Fort Marcy Park on July 20, 1993. Although the contributing factors to his depressed state can never be precisely determined, there is no evidence that any issues relating to Whitewater, Madison Guaranty, or CMS played any part in the suicide.

While I do not advocate that this Committee should be bound by all of Mr. Fiske's findings, I do find reprehensible the attempts by some to invent a new scenario surrounding Mr. Foster's death. Let us deal solely with the facts as they occurred.

I thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Bryan.
Senator Bennett.

OPENING STATEMENT OF SENATOR ROBERT F. BENNETT

Senator BENNETT. Thank you, Mr. Chairman.

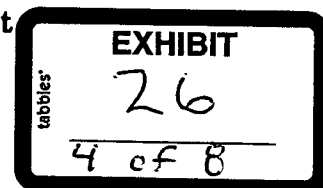
I'd like to say a few things about myself. No. 1, my name is Robert Bennett, but I am not the President's lawyer.

No. 2, I will be happy to stipulate that Vincent Foster committed suicide. There was a time when the rumors in the press led me to believe there was some credence to an additional theory. I find no possible justification for that now. I am one Senator who is willing to say that this hearing should not be about whether or not Vincent Foster committed suicide. He committed suicide. I will so stipulate.

I will not stipulate that the investigation of that suicide was handled in a proper fashion. I think that's a legitimate thing for us to go into. Now, I see some of my colleagues in the other body saying we shouldn't even be having these kinds of hearings. What a terrible thing. What a waste of time. Why are we here? I agree with some of my colleagues who mention why we're here. We're here because the U.S. Senate by a unanimous vote told us to be here to investigate this.

That is not a frivolous reason for the Committee to meet. Why is it in this Committee? I think it's very appropriately in this Committee because this is the Committee that has oversight and a long history of involvement with the RTC.

This Committee by public law last year went to lengths to amend the original RTC Act to make sure the RTC would be as independent as possible, that it would not be a politicized arm of any Cabinet level department. And the reason we're here is that we have evidence coming from the deposition that suggests that in this Administration, there has been an attempt to create that circumstance where the RTC would be politicized and run as if it were an arm of the Treasury Department.



give incomplete answers based on tortured interpretations of our questions is unacceptable.

Mr. Chairman, in trying to understand all of this, let us not forget human nature. In my view, the White House/Treasury contacts stem from an all too human desire to ensure that something that happened 8 years ago not interfere with the urgent task of governing.

Since the Whitewater events happened so many years ago, before this President was President, why not simply keep the White House staff out of it completely. If there's a problem with press inquiries, refer those to a private attorney who is handling the issue.

So yes, Mr. Chairman, there are lessons that have been learned and lessons to be learned by all of us. No one on this Committee should be high and mighty and superior about all this. No one of us is perfect, and I hope these hearings will help all of us do a better job for the American people.

The CHAIRMAN. Senator Boxer, I might just make one comment before yielding to Senator Domenici, and that is, as you spoke about Mr. Foster and the tragedy of his death and the impact upon his family, I was so struck, as I'm sure you were in reading of the report of Mr. Fiske, that Mr. Foster in days just before his death did try to get help.

He called professionals who might have been able to counsel him in dealing with this depression problem that he obviously had. And one of the great ironies is that he called at a time when the professional was not there.

So the evidence we have was that although he tried on two occasions to reach for help, it's just fate that he was not able to get the help at that moment and then sadly didn't try it again.

Senator BOXER. And he also feared that if he did make this contact, he could lose his clearance.

The CHAIRMAN. Yes. And that is a matter of the record and we'll get into that at some point. Senator Domenici.

Senator MACK. If I could, Mr. Chairman, since you're having dialog back and forth on these different issues and questions. I feel compelled to make a response here that there's an implication that at some point there are going to be some questions asked about Foster's death, and somehow that's going to be terrible for us to do that on this side. But I would just remind everyone that we are here because, frankly, of the way the whole situation was handled. There have been serious questions raised so I think people ought to be sensitive to that.

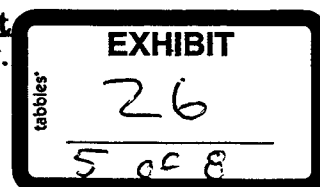
The CHAIRMAN. Let me say, Senator Mack, and I don't want to digress at this point, but that certainly wasn't the implication or intention of my remark.

Senator Domenici.

OPENING STATEMENT OF SENATOR PETE DOMENICI

Senator DOMENICI. I hope it wasn't the implication of anyone's remarks because I don't think that's the intention on this side, and I think we'll just let it evolve with reference to his death.

I don't think anyone on our side is challenging whether or not it was a suicide. So perhaps we can get rid of that rather quickly.



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about this hearing. I'm hopeful we'll clear this issue up once and for all and get back to the work of the people that sent us here.

Thank you.

The CHAIRMAN. Senator Hatch.

OPENING STATEMENT OF SENATOR ORRIN G. HATCH

Senator HATCH. Thank you, Mr. Chairman.

Mr. Chairman, the Senate has named me as a Special Member of the Whitewater Committee for the express purpose of considering matters within the jurisdiction of the Committee on the Judiciary of which I am the Ranking Member. Consistent with this mandate, I intend to focus most of my inquiry on matters related to the Department of Justice's involvement in Whitewater.

Let me emphasize at the outset that the scope of these hearings has been very narrowly defined by the Majority side. We are permitted to explore only matters relating to the death of Vincent Foster or to communications between the White House and the Department of Treasury or the Resolution Trust Corporation that involve Whitewater or Madison Guaranty.

In other words, whole areas of inquiry such as how the Department of Justice handled the Madison Guaranty criminal referral from the RTC, that named President and Mrs. Clinton as potential beneficiaries of criminal misconduct, and whether there was any improper influence exercised by the White House or other Administration officials on DOJ's, Department of Justice's, handling of criminal referrals regarding Madison Guaranty and Whitewater may have to wait for another day to have a full airing.

Nevertheless, there are numerous Justice Department matters that bear directly on communications between the White House and the Treasury Department or the RTC with respect to Whitewater and Madison Guaranty. These matters include but are not limited to the following:

On March 23, 1993, shortly after Roger Altman had been informed of a pending Whitewater criminal referral that the RTC made to the Department of Justice, President Clinton took the extraordinary step of dismissing all sitting U.S. Attorneys, including the U.S. Attorney in Little Rock to whom the Whitewater criminal referral had already been sent.

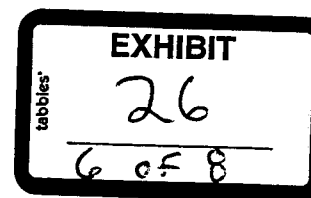
I believe, and I believe history will show, that this was an unprecedented action, and I can remember being shocked at the time this happened because it did happen.

Again, in late September 1993, the RTC leaked to the White House the fact that the RTC was forwarding nine additional criminal referrals concerning Whitewater to the U.S. Attorney's Office in Little Rock.

A few weeks later, in late October, Paula Casey, President Clinton's appointee as U.S. Attorney in Little Rock and a former campaign worker of his, informed the RTC that her office would not prosecute the initial Whitewater criminal referral.

In early November, then-Associate Attorney General Webster Hubbell and Ms. Casey announced their recusal from participation in Whitewater matters.

Around early January 1994, according to an entry in Roger Altman's diary, the White House was trying to negotiated the scope



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of its Independent Counsel with Attorney General—let me give you the quote according to the diary, the White House quote was:

Trying to negotiate the scope of its Independent Counsel with Attorney General Reno and was having enormous difficulty.

In February, facing a recusal decision by Mr. Altman, the White House was concerned that RTC attorney Ellen Kulka might be too "tough" in pursuing RTC's civil claims related to Whitewater. In order to avoid this tough litigator, the White House considered whether it might be preferable to have Special Prosecutor Robert Fiske take over the RTC civil investigation.

In late February, White House officials, alarmed that the former U.S. Attorney, Jay Stephens, had been retained by the RTC to conduct its civil investigation of Whitewater, had a series of contacts with Treasury and RTC officials to see if he could be replaced. The facts refute the suggestion that these contacts can be dismissed as simply blowing off steam.

In short, these matters raise serious questions that demand full and honest answers. What relation, if any, exists between Ms. Casey's nomination as U.S. Attorney in Little Rock and the White House's knowledge that the RTC's criminal referrals regarding Madison Guaranty would be sent to that office? Why did Ms. Casey not recuse herself from the outset from matters relating to Whitewater? Why were the RTC's criminal referrals to the Justice Department leaked to the White House? Did the White House exert any influence to control the scope of authority to be given to the Special Prosecutor? Has the White House attempted to use the Special Prosecutor for its own ends? Overarching all of these questions, of course, is the question of whether Administration officials have been honest in informing Congress and the American people of what really happened.

Finally, let me just say—let me note it is not the role of the Committee to act as a rubber stamp for the Special Counsel or for Special Counsel Fiske's conclusions. We have conducted our own investigation and, frankly, in a lot of respects, we have uncovered a lot more in 5 weeks than Special Counsel Fiske uncovered in 6 months. So let's focus on the evidence before the Committee.

Now, finally, I would like to say this with regard to the Foster part of this. Pursuant to Resolution 229, this Committee was instructed by the Senate:

To conduct hearings into whether improper conduct occurred regarding the Park Police investigation into the death of Vincent Foster.

I know this has to be a terrible ordeal for the Foster family and my heart goes out to them. It is unfortunate that the tragic events of last summer must be the subject of conjecture. The Senate has instructed this Committee to review this matter, and I commend Senator Riegle and Senator D'Amato for their willingness to comply with the Senate's instructions. This is a disagreeable facet of Washington life and I want to express my remorse to Mrs. Foster and the children and friends.

Accordingly, I want to be clear on one point. There is absolutely no credible evidence to contradict the Fiske Report's conclusion that Vincent Foster took his own life and it happened at Fort Marcy Park. There is no credible evidence to the contrary. I suspect conspiracy theorists will always differ with this conclusion and lit-

EXHIBIT

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tle this Committee does is going to muffle their speculation. Nonetheless, the Committee may ponder whether had Mr. Fiske been somewhat more assiduous in investigating the cause of Mr. Foster's depression, some of the added speculation we have witnessed in recent weeks would not have surfaced.

The conclusion of Mr. Fiske that there is no evidence involving issues of Whitewater were a factor in Mr. Foster's death is tenuous. The Majority's reluctance to fully examine this issue is unfortunate. But in all honesty, I just want to make it clear that the conclusion is correct.

Thanks, Mr. Chairman.

The CHAIRMAN. Senator Moseley-Braun.

OPENING STATEMENT OF SENATOR CAROL MOSELEY-BRAUN

Senator MOSELEY-BRAUN. Thank you, Mr. Chairman.

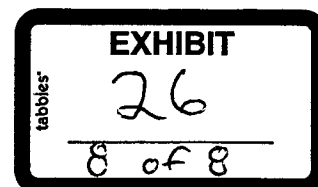
Mr. Chairman, under Senate Resolution 229, this Committee is directed to review whether improper conduct occurred regarding: One, communication between White House officials and RTC or Treasury officials regarding Whitewater or Madison Guaranty. Two, the Park Service Police investigation into the death of White House Deputy Counsel, Vincent Foster. Three, the way White House officials handled documents in Vincent Foster's office at the time of his death.

At the outset, let me say, Mr. Chairman, I would like to associate myself with the remarks of Senators Bennett and Boxer regarding the Vincent Foster issue. We are not conducting an investigation into a suicide. Our investigation is only into the propriety of the investigation surrounding his tragic and untimely death.

My condolences and sympathy also go out to his wife and family. This is no doubt a very painful time for them, and it's probably more painful to them that this matter has not yet been put to rest. However, we do have an obligation, nonetheless, to the public to ensure that no untoward or inappropriate activities occurred that would reflect on the remaining issues before this Committee. The first part of this hearing, I believe, will rightfully look into the process by which that investigation took place.

What this means, therefore, Mr. President, is that at least in part, we are still dealing with the legacy of the savings and loans crisis. I was not in the Senate in the 1980's as that crisis exploded onto the scene. Like every Illinoisan, and I imagine every person in the country, I watched it develop with horror. It made me and my service here determined everything I could to prevent anything similar from ever happening again and to see that everything possible was done to minimize the public cost of completing the resolution of the savings and loan debacle. That is why, along with Senator Murray and a number of others on this Committee, I joined in insisting that a final taxpayer payment to the Resolution Trust Corporation include a wide variety of management and other reforms designed to bring more order and discipline to the RTC and to improve its efficiency.

It is most important for us to protect the public interest in the final stages of the savings and loan issue and to ensure the integrity of the process in which that resolution occurs. Madison Guaranty is one of the thousands of savings and loan failures that



000123

2046

7-1 (Rev. 12-1-91)



CONFIDENTIAL

**FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535**

To: ADIC, Washington Metropolitan
Field Office

Date: June 13, 1994

FBI File No. 29D-LR-35063

Lab No. 40525017 S QV ZG UD VY

Reference: Communication dated May 23, 1994

Your No. 29D-LR-35063

Re: MOZARK
MAJOR CASE #106

OO: Little Rock

Specimens received: May 25, 1994

Specimens personally delivered by Special Agent Russell T. Bransford on May 25, 1994:

Q128 One plastic vial containing twenty-nine tablets (1) ←

Q129-Q130 Two vision prescriptions (3)

K4 Eighteen checks bearing purported known handwriting of VINCENT FOSTER (2)

Result of examination:

CHEMICAL ANALYSIS:

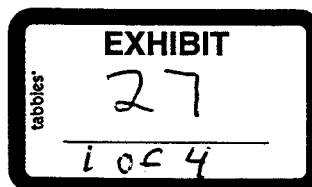
The 29 tablets in Q128 are consistent with 50 milligram trazodone tablets.

Page 1 (over)

Enclosures (4)

OIC 000788

This Report Is Furnished For Official Use Only



000124



**FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535**

To: ADIC, Washington Metropolitan Field Office

Date: June 13, 1994

FBI File No. 29D-LR-35063

Lab No. 40525002 S QV WP ZG VY
ZZ

Reference: Also submitted communication received May 25, 1994

Your No. 29D-LR-35063

Re: MOZARK
MAJOR CASE #106

OO: Little Rock

Specimens received: May 25, 1994

Specimens personally delivered by SSA Larry Monroe on
May 25, 1994:

ALSO SUBMITTED:

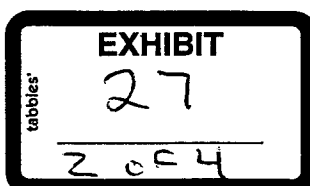
Note regarding issues being posed to obtain
clarification or observations in regard to
May 9, 1994 Laboratory Report

Result of examination:

Reference is made to the FBI Laboratory report dated
May 9, 1994, submitted in connection with this case.

Page 1

(over)



000125

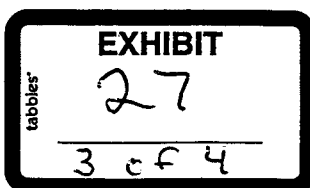
FIREARMS:

Issue No. 1 in the ALSO SUBMITTED note relates to the positive color reaction for vaporized lead and fine particulate lead which was noted on the front of the Q8 shirt when it was received in the Laboratory. As noted in the referenced report, the presence of these gunshot residues (vaporized lead and fine particulate lead) is consistent with firing a firearm in close proximity to this portion of the Q8 shirt. Further, it was noted that the presence of these gunshot residues was consistent with the muzzle blast or cylinder blast which was noted when the K1 revolver was fired using ammunition like that represented by specimens Q1 and Q2. It cannot be concluded that the K1 revolver produced these gunshot residues; however, they are consistent with the cylinder blast or the muzzle blast which would be produced if the K1 revolver was fired in close proximity to the front of the Q8 shirt.

Issue No. 2 in the ALSO SUBMITTED note related to the finding of one piece of ball smokeless powder on the Q3 glasses when examined in the Laboratory. No determination can be made as to the position of the Q3 glasses at the time of death. It is noted, however, that ball smokeless powder can be deposited down range from the muzzle of a firearm when fired (muzzle blast) and to the sides of the front of the cylinder (cylinder blast) when a revolver is fired. It is noted in the referenced report that this piece of ball powder could have been deposited on the Q3 glasses from the cylinder blast or muzzle blast of the K1 revolver when fired. Also, in the referenced report, it was noted that the earpieces on the Q3 glasses move very easily.

CHEMICAL ANALYSES:

It was previously reported that no ball-shaped gunpowder was identified on the tissue samples from the inside of FOSTER'S mouth, when examined at the Office of the Medical Examiner for Northern Virginia. Inasmuch as these tissue samples were prepared in a way which is not conducive to retaining unconsumed gunpowder particles, these findings are not unexpected. Also, unconsumed gunpowder particles are different from residue of gunpowder. The FBI Laboratory findings are not inconsistent with the Pathologists' Report relating to a suicide finding in which the muzzle of the firearm was in FOSTER'S mouth.



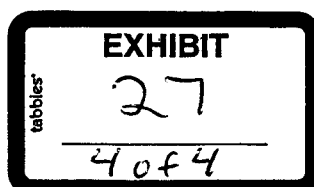
To determine if a person could have been shot by a particular firearm, the gunpowder from a fired cartridge case can be compared with gunpowder from a victim. It was previously reported that ball-shaped gunpowder was identified on the Q3 eyeglasses and in the scrapings from Q8, Q9, Q30 and Q31. This gunpowder is physically and chemically similar to the gunpowder identified in the Q2 cartridge case. One flattened ball-shaped gunpowder particle and one perforated disk-shaped gunpowder particle physically different from the gunpowder identified in the Q2 cartridge case was identified in the scrapings from Q12 through Q15, and Q31B, respectively. The flattened ball-shaped gunpowder particle from the Q12 through Q15 scrapings is not consistent with having originated from a fired cartridge. The significance of these findings is that approximately 20 gunpowder particles from Q3, Q8, Q9, Q30 and Q31, which are consistent with being deposited from the muzzle/cylinder blast of the K1 revolver when fired, matched the gunpowder from the Q2 cartridge case and that only two particles did not match and that one of the two was not consistent with having originated from a fired cartridge. Also, the one which was consistent with coming from a fired cartridge was found on a piece of paper used to dry POSTER'S clothes. The source of these two particles is unknown; however, they are not likely associated with this investigation.

SEROLOGICAL ANALYSES:

The following information is provided regarding the processing of the specimen K1 .38 Special caliber Colt revolver, Serial Number 355055, for the presence of blood on April 22, 1994 in the FBI Laboratory:

A visual examination of K1 did not reveal the presence of any stains consistent with blood on the exterior surfaces of the weapon. The presence or absence of saliva on a specimen such as K1 cannot be determined by a visual examination.

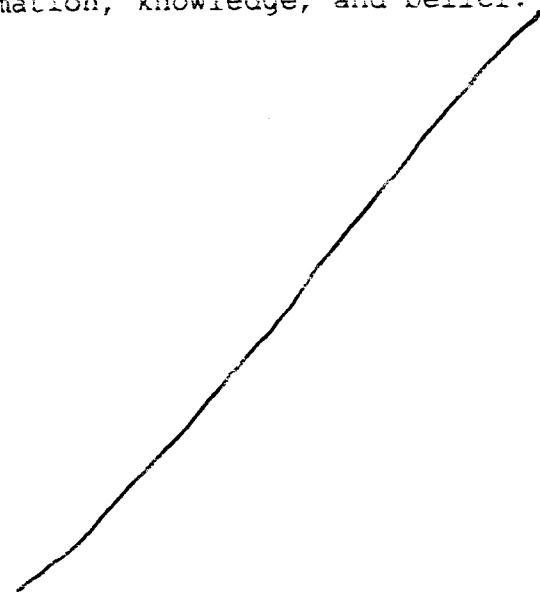
The entire surface area of K1 was not subjected to chemical testing for the presence of blood or saliva inasmuch as K1 was to be subsequently processed in the FBI Laboratory for the presence of latent fingerprints and DNA. A general swabbing of the entire surface of K1 for the presence of blood or saliva could remove and/or destroy latent fingerprints and/or DNA. Therefore, only limited areas on the outer and inner surfaces of the barrel were selected and subjected to chemical testing for the presence of blood with negative results.



AFFIDAVIT:

1. My name is Reginald E. Alton.

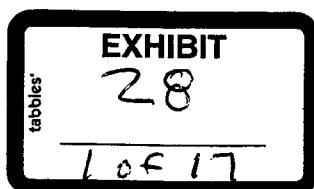
2. The content of my 18 September, 1995 Report and opinion regarding the authenticity of the note purportedly written by Vincent W. Foster, Jr., is true to the best of my information, knowledge, and belief.



I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on 8th May 1997



Reginald E. Alton



tabbles	EXHIBIT
	28
	2 of 17

Report and opinion by Reginald Ernest Alton

1. I have examined photocopies of documents, each consisting of one leaf, and foliated l.r., in a different hand from the main body of the document, Q 1 and K 1 to K 12 inclusive. I am satisfied that K 1 to K 12 inclusive are, apart from foliation and printed or stamped material, all the work of one person who signed K 1 and K 2. The hand of K 1 to K 12 inclusive is that of a mature adult and the date of the questioned document Q 1 is close enough to the dates of the K group for the latter to be used to determine the authenticity or otherwise of Q 1.

2. In my opinion, insofar as it is possible to come to a conclusion from photocopies, Q 1 is a forgery related to K 1 to K 12 inclusive because the forger was using parts of them as a model.

3. The difficulties of this comparative study have been much increased by the fact that Q 1 has been torn and apparently crudely and inefficiently repaired. This process, whether deliberate or not, has obscured some of the continuities or discontinuities of the handwriting, and especially the lineation and layout which often, in their uncertainties, betray a forger's eye as it wanders from forgery to model.

4. I have had in mind three axioms:

(a) any letter form or ligature used by writers of a language at a given date is available for selection by any writer. Accordingly, the movements of the pen as it makes the letter and the general appearance of a document are of more importance than the presence or absence or even the frequency of individual letter forms;

(b) slope, proportion (x - height: space: ascenders and descenders), degree of horizontal or vertical compression, roundness or angularity, pressure, characteristic movements of the hand, and the writing instrument itself all contribute to the general appearance;

(c) writers of modern cursive hands can be divided into 'swaggers' [sw] and 'archers' [mm] 713

Report...

Page 2

5 . Foster seems to have been a natural 'swagger'. He makes a series of minims e.g. nin (returning K 1 1.1), in and w with an even and rhythmic movement through a series of elegant swags. He rarely writes n or h with an arch.

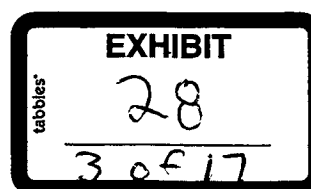
The writer of Q 1 is aware of this habit but he fails to match Foster's usage or elegance. The incidence of arched n in the first eight lines of Q 1 is much higher than in the control documents. It is characteristic of a forger that the writer of Q 1 gets better at imitating this habit as he or she goes along.

6. The uneven, uneasy and laboured nature of Q 1's swags for in can be seen in inexperience (1.1), individual (1.8) and in Clintons (1.17) as compared with what should be an exact match, Clinton's in K 9 (1.2).

7 Even more revealing is another case which ought to produce an exact match and in Q 1 fails to do so: the word benefit, Q 1 (1.8 and 1.10) as compared with K 11 (1.1) and K 10 (1.4). Foster makes initial minuscule b in one stroke (see also based, K 10 (1.5)). Q 1 takes at least 2, possibly 3 strokes to reproduce the shape. In my opinion he is copying from K 10 for this word but has failed to understand the movements of Foster's pen.

8. In a movement of the hand which is directionally the same as the swags Foster is a habitual writer of counter-clockwise loops or circles. This characteristic is visible in most appearances of the th ligature throughout K 1 to K 12 inclusive. In Q 1 the loops in this ligature either do not exist or are a mere thickening of the ascender of h.

9 We see this movement not only in expected places e.g. round-backed looped d (see K 1 and K 2 and contrast did, lied etc in Q 1), but also in unexpected places e.g. a in avoids and answering (K 7). In Q 1 minuscule a is an awkward 2 stroke letter; in K.7 a counter-clockwise loop closes the bowl in one stroke.



000130

Report...

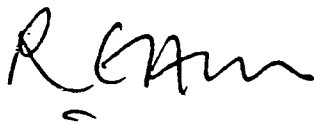
Page 3

10. The writer of Q 1 is generally uneasy about joining one letter to the next e.g. o to l to a in violate (1.3) and especially l to a in the same word (1.6). Contrast c to l to o in enclosed (K 1 1.5 and 1.7). This sort of failure is characteristic of forgeries.

11. There is much other detail which could be mentioned e.g. the of ligatures, Q 1's failure to understand Foster's majuscule B (K 3) and majuscule I and J.

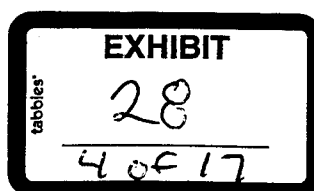
12. In general appearance the hand of the authentic documents K 1 to K 12 is firm, open, rounded, with a consistent slight backward slope and an easy currency that joins letter to letter with scarcely an interruption to the flow of the hand. This is true whatever the different circumstances in which the K group were written down.

In contrast the hand of Q 1 is slightly but clearly less open (slightly more horizontally compressed); it has an inconsistent slope which, though often backward in varying degrees, gives in total a more upright appearance than K 1 to K 12 inclusive; and though it imitates letters and words from the K group it fails to understand how they are made.



R E ALTON

18 September 1995



000131

6/18/93

Ocean Exploration Co -

I am returning your check no. 04-820598.
The interests it represents were owned by
my late father. As reflected by the enclosed
rebate order these interests were distributed
to my mother. As reflected by the enclosed
quitclaim deed she assigned the interests
to me.

Please review your records

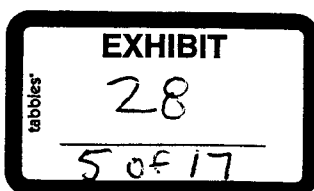
Sincerely

Vernon W. Foster

3027 Cambridge Pl., N.W.

Washington, DC 20007

K1



000132

and overwork

I did not intentionally violate any law or standard of conduct

No one in the White House, to my knowledge, violated any law or standard of conduct, including any action in the travel office. There was no intent to benefit any individual or specific group

The FBI lied in their report to the AG

The press is covering up the illegal benefits they received from the travel staff

The AG has lied and misrepresented his knowledge and role and covered up a press investigation

The USIA office plotted to have excessive costs incurred, taking advantage of Koko and me

The public will never believe the actions of the Clinton and their legal staff

The WSJ editor lied without consequence

I was not meant for the glare of the spotlight of public life in Washington. Here privacy people is considered a secret.

Q1

EXHIBIT
28
6 of 17

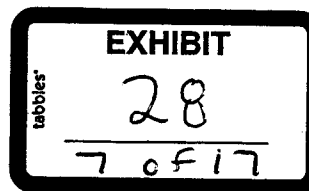
000133

Wythe -

In view of the
uncharacteristically shallow
and falsely premised editorial
in the April 12 edition
regarding Webb, I want to
make certain you saw this
account by the Republican
holdover who made the
decision

V. W.

Not for Publication



K2

long on conjecture. The editorial wan-
dered so far afield it admitted, "Now, it
is not in itself of national moment

if its premises were ever made explicit -
that it is nothing more than crude pres-

000134

2/80	C or H	1000	LR
2/80	C or B	100	N
3/80	C or B or H	50	Bentonville
3/80	C or B	50	Hot Sp
12/83	C or H		
	C or B		
	C or B		
	C or B		
	C or B		
	C or B		
	C or B		
	C or B		
	C or B		

THE WASHINGTON

These notes were found in the personal effects of Vincent Foster last Ju

EXHIBIT
 28
 8 of 17

000135

discuss

15

Date of
incorp
6/17/17

1) What was nature of deduction

a. How deduct: interest/principal payments for corp.?

2) Can you ~~deduct~~ use contribution which mandated incorporation?

3) Contribution/advancements of +68,900

to the US

4) Liability to at least \$8500 capital loss

EXHIBIT
28
9 of 17

500 climate recession
1000 arbitrary
0 would be presumed

arbitrary

IRR results and gain since unsubstantiated w/ receipts
we had a loss - zero is arbitrary

[were making payments because ^{M=D} ~~to~~ was missing]

opposes FN

DKSN000232

Plausibility is 0 - what IRS uses if you don't pay purchase basis

IRR - we did not know where existed in earlier years

K4

Whitewater

Demer - accountants

used GAP instead of ~~the~~ income tax basis

3 returns delinquent

J M-D not a S/H

accountant was a S/H

1/22 | ~~the~~ Susan M-D & accountant

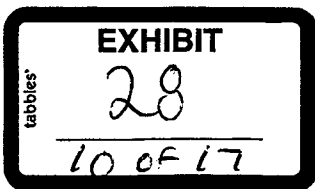
believe Selection necessary

Q - pro homo prep of individual returns
need info from bank or
collection from sales

Q - who sign

DKSN000094

KS



000137

3) when back out unsupported + deductions

\$5800 — would \$1000 for net

4) July payments vs taking a loss
of \$4800

1) other interest deduction of \$4500 which
cannot be done with net WW

2) More importantly would result in an
audit of 100% of basis

Case of Wilson you shouldn't do

~~Propriety of taking~~

1) propriety of characterizing pre-wire
payments on affiliated corporations [S/10M → Great
Southern bank]

2) propriety of taking int deduction for
debt which should be corp.

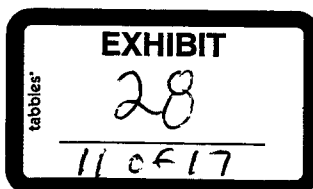
Prior

3) Deduction of \$8000 prior payment
in 1980

— Cole came up w/ theory to justify
but with challenge

DKSN00023E

1/6/81



000138

10 options

\$1000 basis so no tax effect

but volatility & still needs audit

vs

0 basis w/ \$1000 gain

avoids an audit of value



~~analysis~~

In Ruckel's view no significant difference in outcomes as for

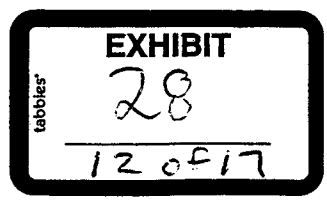
\$1000 loss

no loss

\$1000 gain

DKSN000237

KE



000139

Redacted

9. Whitewater

Discusses w/ Gohly

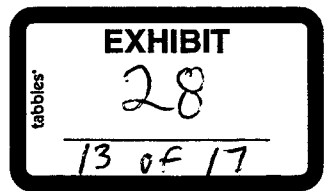
Cost analysis w/ economic loss

(1) did not take into account interest deduction

(2) calculation included some items for which there were no available data.

DKSN000235

K8



000140

Worse

Sometimes relied on Clinton's returns ~~as evidence~~

Don't want to go back into that box

When M:D trying to circumvent bank laws -

Why the splitting loan from other

papers

HR

HR transactions list

1) Long term capital investment

Raines Q's TE

Reconcile for forensic purposes

vs IRS audit

DKSN000234
K9

EXHIBIT
28
14 of 17

Discussion Points

1. An argument that they were protected against loss.

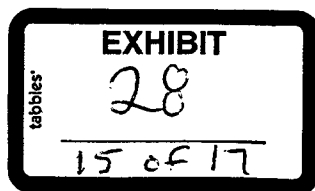
A) A warning is contained w/ this theory

2. Improper to reduce basis by improper tax benefit

3. Computation of economic loss was based, in part, on assumptions

whereas computation of tax gain or loss must be defensible in audit

DKSN000233



K10

Q - off net Whitewater tax benefit

Redacted

DKSN000407

tabbles
EXHIBIT
28
16 of 17

000143

7. white water

Redacted

Options:

FN - cost in access but not documented yet

\$1000 gain

Call Sam

Huber

*

Jim Lyons

DKSN000225

W

EXHIBIT

28

17 of 17

tabbles

000144

2164

UNITED STATES CAPITOL POLICE
IDENTIFICATION SECTION
ROOM 103-B
119 D STREET, N.E.
WASHINGTON, D. C. 20510
PHONE: 202-224-0965

LABORATORY EXAMINATION RESULTS

CPN: Not Related/USCP

OFFENSE: EXAMINATION CONDUCTED FOR THE
PURPOSE OF IDENTIFYING QUEST-
IONED WRITING APPEARING ON A
DOCUMENT.

USPP: 30502-93

DATE REC'D: 07-29-93 COMPL'D: 07-29-93

REC'D FROM: OFFICER P. J. SIMONELLO / ID SECTION

TYPE OF EXAMINATION REQUESTED

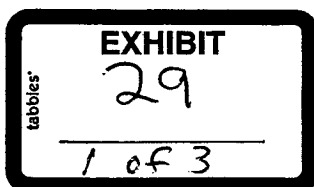
1. DOCUMENT EXAMINATION/HAND WRITING

NAME(S): VINCENT W. FOSTER

ELIM / SUSP
ELIM / SUSP
ELIM / SUSP

DOCUMENT EXAMINATION RESULTS

STATEMENT OF EXAMINER: The examination consisted of studying the Standard Writings [Known] and locating writing characteristics that appear throughout the written words and letter characters which are unique to the writer. Then, the Signature Document [Questioned] were studied to locate those characteristics that are unique to a particular writer in the way alphabetical characters, groups of alphabetical characters, numerical digits and written words are completed. The Questioned and Known documents are listed as:



4.41

000145

Questioned Document:

1. Handwritten "note" with writing appearing on a yellow, lined paper which had been mutilated by tearing into several pieces. The note had been re-constructed by investigators of the United States Park Police. The note was written with a black in color ink.

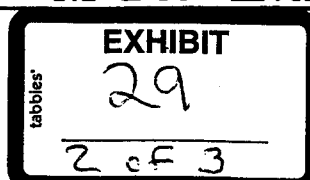
Known Documents:

1. Vincent W. Foster
 - a. A photostatic copy of a letter bearing the signature of the person that is the subject of the investigation. The signature is completed as "Vincent W. Foster".
 - b. The photostatic copy represents a letter that was completed on a standard sheet of stationery without lines.

EXAMINER'S CONCLUSIONS

The conclusion as related to the Questioned and Known writings are:

1. The Known Document is a photostatic copy of a handwritten letter that is of excellent quality. The copied writing appears without reproduction flaws that would cause this examiner to question the characteristics as they relate to the author. The author's signature appears on the bottom of the document and is represented as "Vincent W. Foster"
2. Even though the Questioned Document has been re-constructed, the writing contains sufficient characteristics of the author to allow identification.
3. Both the Known and Questioned Documents were completed by the same writer/author and that writer/author is known as Vincent W. Foster.



2166

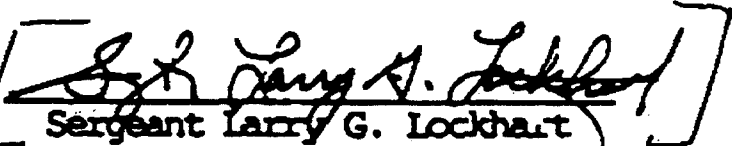
Document/Handwriting Exam

-3-

Foster-Simonello/USPP

The characteristics used to reach the final conclusion of the examiner were not marked on either the known or questioned document. After the examination, which was conducted at the Identification Division Office of the United States Park Police, the documents were released to Officer P. J. Simonello.

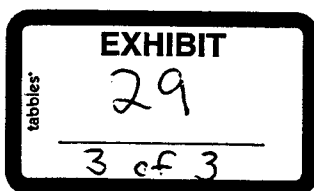
EXAMINER:


Sergeant Larry G. Lockhart

DATE:

7/29/93

HWEX/1762



000147

AFFIDAVIT

1. I am Reed J. Irvine, Chairman of Accuracy in Media, Inc., a nonprofit organization that specializes in critiquing the accuracy of news reporting by the media whose headquarters are at 4455 Connecticut Avenue, N.W., Washington, D.C.

2. In July 1995, I came into possession of a photocopy of the torn-up note that was said to have been found in the briefcase of Vincent W. Foster, Jr. six days after his death. I also had a photocopy of one page of Mr. Foster's handwriting that was published in the Senate Banking Committee Hearings on Foster's death. I ascertained that the first opinion that the torn-up note was written by Mr. Foster was given by Sgt. Larry Lockhart of the Capitol Police and that Sgt. Lockhart had retired and was available to do handwriting analysis. I phoned Sgt. Lockhart and made an appointment to visit him at his home on August 6, 1995 to get his opinion on the authenticity of a document.

3. I had taken the words that were common to both the known sample of Foster's handwriting (the exemplar) and the torn-up note and enlarged them on a copying machine. I arranged them at random on a sheet of paper. I told Sgt. Lockhart that before letting him see the documents that I wanted him to examine, I wanted to test his expertise. I asked him if in his opinion the words arranged on the sheet had all been written by the same individual. He studied them carefully and separated them into two groups, one being the words from the exemplar and the other from the note. The only words he misplaced were the cursive capital "I's." There was only one of these in each group.

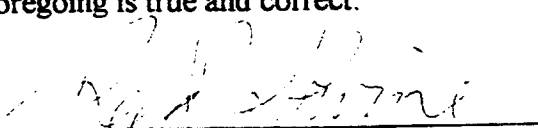
4. I then showed Sgt. Lockhart blowups of parts of the texts in which these words appeared, still without showing him enough of the documents to enable him to identify them. He concluded from this that one of the documents had probably been written by someone trying to imitate the handwriting of the other.

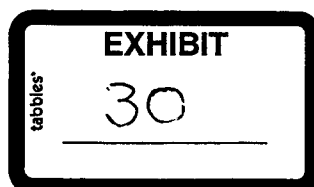
5. I then showed him the two documents, which he then recognized. The exemplar was the same one that he had been shown when he was asked to authenticate the torn-up note by the U. S. Park Police in July 1993. Sgt. Lockhart was chagrined when he realized that he had in effect repudiated his original opinion that the note was in Foster's handwriting. I had tape-recorded the entire exercise, and he could not deny what he had concluded in this blind test.

6. I subsequently contacted another handwriting expert and put her through the same exercise with the same result. Unlike Lockhart, she thought this was a fair and objective way of eliciting an opinion. She was willing to make her opinion public, but when she checked with her husband they decided against doing so because he was a federal employee and they feared this might get him in trouble.

I declare under penalty of perjury that the foregoing is true and correct.

April 23, 1997


Reed J. Irvine



000148

1925

1-1 (Rev. 2-1-91)



FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

RECEIVED
JUN 20 1994

Date: June 17, 1994
To ADIC, Washington Metropolitan Field Office

FBI File No. 29D-LR-35063

Lab No 40602045 S/D QV UD
40617025 D UD

Reference: Communications dated June 1, 1994 and June 16, 1994

Your No 29D-LR-35063

Re MOZARK;
MAJOR CASE #106
OO: LITTLE ROCK

Specimens received June 2, 1994

Specimens received under cover of communication dated June 1, 1994 (40602045 D UD)

K5 One photocopied sheet of paper bearing the known handwriting of VINCENT FOSTER

RESUBMISSION OF Q1 (30730011 D UD) AND K4 (40525017 D UD)

Specimens received under cover of communication dated June 16, 1994 (40617025 D UD)

K6 Handwriting sample bearing the purported known writing of VINCENT FOSTER

Results of examination:

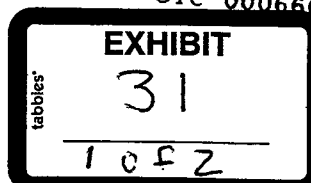
It was determined that the handwriting on the previously submitted note designated Q29 in Laboratory report dated May 9, 1994 (Lab #40324038 S/D QV ZG WK UD WP AL QW ZT VY ZZ and AR) was written by VINCENT FOSTER, whose known writings

Page 1
Enclosures (2)

(over)

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OIC 000650



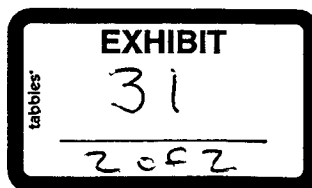
000149

CONFIDENTIAL

are designated K4 (previously submitted and assigned Lab #40525017 S/D QV ZG UD and VY), K5 (previously submitted and assigned Lab #40602045 S/D QV UD) and K6 (assigned Lab #40617025 D UD).

K5 and K6 are returned herewith. The disposition of Q29 and K4 will be reported separately. Appropriate photographs have been made.

104. 2



OIC 000661

000150



FORENSIC CONTROL SYSTEMS

Private Investigations • Forensic Consultants

107 CEDARVIEW AVENUE
STATEN ISLAND, N.Y. 10306
TEL: (718) 979-0339
FAX: (718) 979-3261

October 6, 1995

James D. Davidson
Strategic Investment

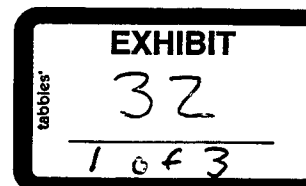
Dear Mr. Davidson:

At your request I have examined a photocopy of the Questioned Document said to be written by Vincent W. Foster, Jr., with several photocopied exemplars identified as the known writing of Vincent Foster.

- Q-1 begins as follows: "I made mistakes from ignorance, inexperience and overwork..."
- Q-1 was examined and compared with several photocopied exemplars.
- K-1 is a note written by Vincent Foster on June 18, 1993, and used as the sole exemplar by the U.S. Park Police to certify Q-1 as genuine.
- K-2 is a note written by Vincent Foster on his stationery and dated April 15, 1993. The note is signed.
- K-3 is a single page document containing notes made by Vincent Foster and found in the U.S. Park Police report.
- K-4 are documents written by Vincent Foster relating to thru the Whitewater partnership and presented to the Senate's K-10 Special Whitewater committee.
- K-11 are various notes and documents containing the signature thru ature of Vincent Foster and found in the U.S. Park K-14 Police report.

PURPOSE

The purpose of this examination and comparison was to determine whether or not the document in question was actually written by Vincent Foster, Jr.



CONFIDENTIAL INVESTIGATIONS • FORENSIC SERVICES • CRIMINALISTICS
SECURITY & LOSS PREVENTION • FINGERPRINT IDENTIFICATION • DOCUMENT EXAMINATION

6
LICENSED & BONDED

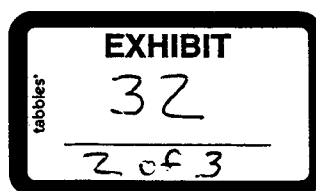
RESULTS

As a result of comprehensive and thorough analysis of the Questioned and Known photocopied documents under varying degrees of magnification, I have arrived at the following determinations:

1. Although some generalized degree of similarity exists between the photocopied questioned document with the known samples furnished, upon closer detailed examination and comparison numerous marked differences have been noted throughout the writings.
2. Most of the execution, form and style of the writing contained in Q-1 is not consistent with the writings found in K-1 thru K-14. There are numerous inconsistencies found throughout Q-1 in regard to individual letter formation. Marked differences are noted in execution of stroke and the beginning of letter formations. The document, Q-1, exhibits a style less continuous and flowing than the writing contained in the known documents.
3. Based upon the above observation and comparisons of the photocopied documents I have formed the opinion that it is not possible to state that the questioned document was written by Vincent Foster. The document appears to be a simulation of Foster's writing resulting in an unsuccessful attempt to produce a credible forgery.

ADDITIONAL FINDINGS

1. Q-1 is not consistent with a suicide note. It makes no mention of intentional harm to oneself. There is no signature and no date. Significantly, there is no mention of characteristic statements of departure for loved ones, the putting of affairs in order, or a motive for suicide. The writer of Q-1 does not give any indication of clinical depression or apparent suicidal tendencies.
2. It is highly doubtful that the missing piece from Q-1 would have contained his signature.
3. Q-1, had it been torn by decedent into 28 pieces, should certainly have left numerous latent print impressions.
4. The use of only K-1 by the U.S. Park Police is not consistent with standard forensic document examination. Police should have obtained independent, additional samples of Vincent Foster's handwriting executed during the normal course of business and from other sources. Normally, in the course of a homicide investigation,



it would be improper for police to accept a single document from a family member, and to form an opinion based on same.

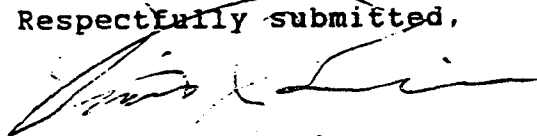
5. The use of a single document and a series of checks alleged to have been written by Vincent Foster by the FBI's Questioned Document section is not consistent with standard forensic document examination.
6. official reports omit any examination by the FBI of a psycholinguistic analysis of Q-1 compared with the known writings of decedent. This omission is serious considering the disjointed statements found in Q-1.
7. The long amount of time before Q-1 was found, and the unusual circumstances of its discovery, should have aroused suspicion that the time may have been used to execute the fraudulent note. Also, the finding of the note in 28 pieces, one piece missing, may indicate an effort was made to further hide a comparative analysis.

SUMMARY AND CONCLUSION

The finding that Q-1 appears to be a forgery, coupled with the additional findings one through seven, are all supporting evidence that a proper homicide investigation is required into the death of Vincent Foster.

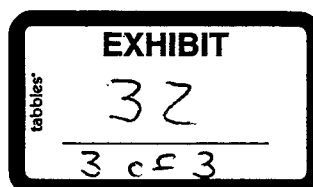
Should you require additional documentation in the form of graphic exhibits or charts to illustrate the basis for these findings, please notify this office in advance and allow time for preparation.

Respectfully submitted,



Vincent J. Scalice
Forensic Consultant
Document Examiner

VJS/mr



HEARINGS RELATING TO MADISON GUARANTY S&L AND THE WHITEWATER DEVELOPMENT CORPORATION—WASHINGTON, DC PHASE

VOLUME I

FRIDAY, JULY 29, 1994

**U.S. SENATE,
COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS,
Washington, DC.**

The Committee met in room 106, of the Dirksen Senate Office Building at 10 a.m., Senator Donald W. Riegle, Jr. (Chairman of the Committee) presiding.

OPENING STATEMENT OF CHAIRMAN DONALD W. RIEGLE, JR.

The CHAIRMAN. The Committee will come to order. Let me invite all those that are standing to find seats so that we can begin.

Good morning to everyone and welcome to all those in attendance this morning. Today, the Senate Banking Committee begins the public hearing phase of our inquiry on the so-called Madison Guaranty/Whitewater matter. We do so under specific legislative instructions from the full Senate. Senate Resolution 229 mandated this inquiry and it instructed our Committee to begin these public hearings by today, July 29, 1994.

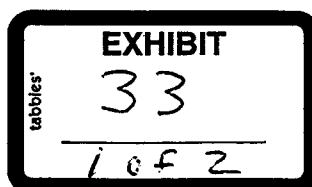
The scope of our present effort was carefully defined by the Senate Resolution 229 to pursue only three specific matters in order to not interfere or compromise in any way the full-scale inquiry being directed by Independent Counsel, Robert B. Fiske, Jr.

Now, Mr. Fiske's effort began on January 20, 1994, when Attorney General Janet Reno announced the appointment of this respected former prosecutor to serve as Independent Counsel to investigate allegations relating to Whitewater/Madison. He has full Federal authority to prosecute any violations of both civil and criminal laws.

On March 7, then, Mr. Fiske, aware that some in Congress were pressing for hearings on this subject, wrote to our Committee requesting that we not hold hearings that might compromise his investigation and jeopardize any later prosecutorial efforts he might undertake. The Senate itself recognized the importance and the primacy of Mr. Fiske's concerns on March 17 by a unanimous vote of 98 to zero.

The Senate passed a resolution authorizing hearings into all matters related to Whitewater but carefully provided that any Senate hearings should, and I quote:

(1)



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Ms. BRAUN. At the scene, no.

Mr. ROLLA. No, no.

Senator MACK. How about at the house?

Mr. ROLLA. Control was not a factor. Going in to make the death notification, we would like to do it our way.

Yeah, I guess if you want to call it control or whatever, we had a certain way we would have liked to do it, but all those people showed up and, it was a terrible notification, terrible grief, and everything else going on.

Yes, at that point we waited, that is why we were there so long, we waited until things calmed down and people separated and we started to talk to certain people as much as we could, pretty much in bits and pieces.

Senator MACK. Let me just take you to the issue that we discussed this morning: a pager.

Mr. ROLLA. Please, please.

Senator MACK. I am concerned about the pager being turned over to the White House.

Mr. ROLLA. I am aware of that.

Senator MACK. Is that normal procedure?

Mr. ROLLA. Well, let me explain it to you. You go on the scene, you observe the facts that are there, and the facts that are there was that this was an apparent suicide. Not one fact then or has ever come forward since then to this day to say it was anything other, anything sinister, anything other than a suicide.

With that in mind, a pager, the White House credentials on the pager were recorded, at least the pager was. I do not remember if I recorded the White House credentials because obviously I am going to give them back to the Secret Service. They may have been xeroxed.

The pager brand was recorded, the name brand, the serial number was recorded, the pager was turned off. As far as any information on the pager, he could have turned it off at any time, and if anybody paged him while it was off, that does not tell me anything. If they paged him after he killed himself, it does not tell me anything. It does not tell me what time he turned it off because he could have had his last page 20 to 30 minutes before he turned it off.

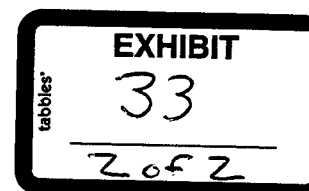
If it turned out something crazy, that it was a homicide, the FBI could have taken my report and the serial number to the pager company and subpoenaed the pager records and got all the calls that were paged to him that date.

We turned it over to the Secret Service, yes, any property that belongs to the White House United States Government, the credentials and the pager, a matter of security, yes, it is proper procedure.

I called them up, they wanted to come down and get it, and I turned it over to them after I recorded the information that I needed to get from it. I had no further use for it, because there was nothing to say that this was anything other than a suicide.

Senator MACK. So it is your opinion, then, when you gave up this pager that it was really unimportant?

Mr. ROLLA. Right. At that time, I had the information I needed that if something important came up, the pager records could be



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117 REPORT 061470.7

13.47 Tuesday July 19

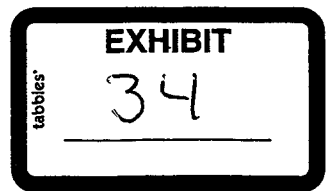
09100 JULY 20 1993 - JULY 21 1993

117-001

NOT	LOGON DATE	LOGON TIME	COMMAND TIME	LOGOFF TIME	LOGOFF DATE	E-FILE NUMBER	NOT	NOT	COMMAND CODE	TEXT
E01	07/20/93	4:45:45		4:45:41	07/21/93	070007	774			1250 GPM 500 GUT '86 PIERCE
E01	07/20/93		0:00:31						DATE	07/21/93
E01	07/20/93		4:45:42						****	07/21/93 LOGOFF
E01	07/20/93		4:45:46						****	07/20/93 LOGON #070007 1250 GPM 500 GUT
E01	07/20/93		4:45:46						****	'86 PIERCE #774 #F1
E01	07/20/93		8:55:48						.	AOR
E01	07/20/93		8:58:51						.	XUTM
E01	07/20/93		9:10:46						****	07/20/93 00454 2' BLS 2025 POUNTAIN ST
E01	07/20/93		9:10:46						BP	FIRE CHANNEL 1
E01	07/20/93		9:12:22						.	ENRM
E01	07/20/93		9:12:22						.	ENRTE
E01	07/20/93		9:18:19						.	ONSCNE
E01	07/20/93		9:27:19						.	AOR
E01	07/20/93		11:57:57						.	ENRM
E01	07/20/93		12:24:51						.	AIG
E01	07/20/93		16:08:45						****	07/20/93 01122 1/ALS 1495 S/PRI TOLL R
E01	07/20/93		16:08:45						****	0
E01	07/20/93		16:08:45						BP	CH2
E01	07/20/93		16:09:30						.	ENRTE
E01	07/20/93		16:14:38						.	ONSCNE
E01	07/20/93		16:25:22						.	AOR
E01	07/20/93		16:48:46						.	AIG
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E01	07/20/93		18:03:08						BP	CH1
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E01	07/20/93		18:37:02						.	AOR
E01	07/20/93		18:45:25						.	AIG
E01	07/21/93	4:45:42		4:45:46	07/22/93	070007	774			1250 GPM 500 GUT, '86 PIERCE
E01	07/21/93		0:01:46						DATE	07/22/93
E01	07/21/93		4:45:42						****	07/21/93 LOGON #070007 1250 GPM 500 GUT
E01	07/21/93		4:45:42						****	'86 PIERCE #774 #F1
E01	07/21/93		4:45:46						****	07/22/93 LOGOFF
E01	07/21/93		7:45:16						.	AOR
E01	07/21/93		8:35:51						.	AOR
E01	07/21/93		8:38:22						.	AIG
E01	07/21/93		14:46:55						.	AOR
E01	07/21/93		15:22:56						.	AOR
E01	07/21/93		15:31:19						****	07/21/93 01015 2' FOOT CHAIN BRIDGE ROAD
E01	07/21/93		15:31:19						****	EDGE WASHINGTON PU N
E01	07/21/93		15:31:37						BP	CH1
E01	07/21/93		15:41:12						.	ENRTE
E01	07/21/93		15:45:38						.	ONSCNE
E01	07/21/93		15:47:52						WISC	NEED ONE MORE ENGINE
E01	07/21/93		15:47:52						WISC	SITUATION REPORT: ABOUT AN ACRE OF
E01	07/21/93		15:47:52						WISC	205 WERE ON FIRE SULK OF FIRE KNICKED
E01	07/21/93		15:47:52						WISC	JOIN WITH SOME HOT SPOTS LEFT, E01 OUT
E01	07/21/93		15:47:52						WISC	OF WATER ETS 10-7 M001 DIRECT

This is certified a true copy of the actual field incident report in possession of the Fairfax County Fire and Rescue Department

Signed Bonnie Diamantko
Date 7-19-94



29D-LR-35063

Continuation of FD-302 of James M. Lyons, On 5/12/94, Page 2

not normally carry a lot of weight and so any small loss was relatively noticeable.

LYONS said that it seemed that the press had been particularly vicious in their attacks on the members of the Rose Law Firm individually. The Wall Street Journal, in particular, had begun a series of articles, first criticizing WEBB HUBBELL and then FOSTER himself, particularly with regard to the Health Care Task Force. The task force was sued on the issue of whether or not their proceedings should operate openly or behind closed doors. FOSTER won a victory for the Task Force (and by association, for HILLARY RODHAM CLINTON) on that matter and the Wall Street Journal accused him of "sharp tactics". LYONS advised that that allegation really bothered FOSTER.

FOSTER called the LYONS Wednesday or Thursday the week before his death. LYONS returned his call and FOSTER asked him if LYONS would be available to come to Washington on short notice. LYONS asked FOSTER, "what does short notice mean? Do you need me to come today?" FOSTER said, "No. I just needed to know you could come on short notice." FOSTER was evidentially anticipating a legal attack in connection with the Travelgate scandal.

FOSTER again called LYONS the Sunday night before his death after FOSTER and his wife LISA had returned from their weekend. FOSTER told LYONS about the weekend. He said he had had a great a weekend and agreed that he ought to do it more often. They confirmed that LYONS was coming to Washington, D.C. the following Wednesday, July 21, 1993.

LYONS was coming to D.C. for other business also, but one of the primary reasons for coming was to meet with FOSTER with regard to representing FOSTER as a personal attorney on Travelgate matters. LYONS advised that FOSTER was anticipating further investigation on the Travelgate issue and he was considering asking LYONS to be his personal attorney. LYONS advised that he had read Chief of Staff, MAC MCLARTY's report on the Travelgate matter and felt that the report pretty well put the matter to rest. FOSTER didn't think so and he told LYONS that, "I'd like you to take a look at it." For this reason LYONS read the report again in order to give FOSTER his perspective on it. LYONS said that he felt it possible that FOSTER knew he needed a perspective other than his own, but it was unclear whether that was just his professional common sense or whether he



OIC 000320

000157

July 1993

Vincent W. Foster

SUNDAY

MONDAY

TUESDAY

WEDNESDAY

THURSDAY

FRIDAY

SATURDAY

					1 9:00am Staff 1:15pm Askew, Anthony 4:00pm Boley Wright BD 1317 F. Sale 800	2 9:00am Staff 7:30pm Chevy Chase CC	3
4 7:30pm Ice Cream Social	5 Holiday	6 8:00am Sr. Staff 4:00pm Deputies	7 8:00am Sr. Staff 9:00am Staff	8 8:00am Sr. Staff 9:00am Staff 11:00am School Mtg 2:00-2:45pm Lisa Nevada-HOPE STAR	9 8:00am Sr. Staff 9:00am Staff 11:00am Gagy Aldrich - 1000- 12:15pm Pincus-Hay Adams	10	
11	12 8:00am Sr. Staff 9:00am Staff 4:00pm Deputies	13 9:00am Staff	14 9:00am Staff	15 9:00am Staff	16 9:00am Staff 4:00pm Deputies	17	
18	19 NAFTA Brief Due Mainhold Brief Due 9:00am Staff 4:00pm Deputies	20 Ginsburg Hrg Begins 9:00am Staff	21 9:00am Staff	22 9:00am Staff 1:15pm Sharon lunch	23 9:00am Staff 4:00pm Deputies	24	
25	26 9:00am Staff 4:00pm Deputies	27 9:00am Staff	28 9:00am Staff	29 9:00am Staff	30 9:00am Staff 4:00pm Deputies 7:30pm Edleman Party	31	

June

S	M	T	W	T	F	S
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13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

August

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15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

EXHIBIT
36

7/8/19

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FD-302 (Rev 3-10-82)

CONFIDENTIAL

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/24/94

MARSHA SCOTT, Deputy Assistant to the President and former Director of Correspondence was interviewed at her attorney's office on May 12, 1994. SCOTT advised that she has recently changed positions and is now Deputy Assistant to the President in a undetermined public liaison capacity. Also present was her attorney STUART F. PIERSON of the law firm DAVIS, WRIGHT and TREMAINE, 701 Pennsylvania Avenue, NW, Suite 600, Washington, D.C. 20004-2608, telephone (202) 508-6623. After being advised of the identities of the interviewing agents and the nature and purpose of the interview, SCOTT provided the following information:

SCOTT advised that she met VINCENT FOSTER, JR. in approximately 1967 when she was about 20 years old. They were merely acquaintances in the interim years, sharing the same friends and moving to the same social circles in Arkansas. They became friends after the inauguration of President CLINTON. They have never been romantically involved with one another

SCOTT characterized her relationship with FOSTER as a personal friendship. She explained that she used to "pop my head in" every day or every other day to see FOSTER. She said that FOSTER had a serious facade but a good sense of humor; was very smart and very meticulous in the way he did things. She advised that he always put friendship and loyalty, ethics and his family before everything. She also said he was very patriotic.

SCOTT does not know why FOSTER would have committed suicide. She saw some signs that he was depressed but did not know that he was in such a serious crisis. In explaining what she meant by seeing signs of depression, SCOTT advised that everyone was depressed. Their whole circle of friends from Arkansas who had come to The White House were overworked and under constant pressure and constant scrutiny by the press and others in the Washington environment. They were "down".

SCOTT advised that in the beginning, shortly after the inauguration, The White House staffers from Arkansas would meet for dinner, sometimes several times a week. But as the workload

Investigation on 5/12/94 at Washington, D.C. File # 29D-LR-35063

OIC 000...

by _____ Date dictated 5/19/94

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

EXHIBIT
37
1 of 3

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29D-LR-35063

Continuation of FD-302 of Marsha Scott . On 5/12/94 . Page 2

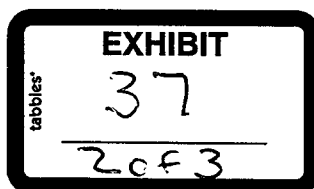
for everybody increased, they met only once a week for dinner, generally Tuesday evenings.

SCOTT advised that on Monday, July 19, 1993, she stopped in to see FOSTER for a period of time in the afternoon. She wanted to ask him how the weekend had gone, knowing he had gone off for the weekend with his family. In retrospect she realizes that he acted different, but at the time she did not sense it. She explained that always before when she walked into the room, FOSTER would give her a hug and tell her some kind of little joke, but on this occasion he seemed preoccupied and a little quieter. There were no huge indicators, however, that there was something seriously wrong.

During that visit SCOTT advised that she did most of the talking and she does not remember what topics they talked about. She estimated that the visit lasted between 20 and 30 minutes but it could have been longer. She does not remember why she left and she does not recall that the visit was any different than any other time she visited him. She advised that she was uncomfortable talking about some of the private thoughts FOSTER shared with her. She said she believed FOSTER had painted himself into a box with no windows. But she got the sense during the July 19th meeting that he had come to some sort of decision and was, if anything, somehow relaxed as a result.

SCOTT is of the opinion that FOSTER committed suicide for personal reasons but commented that he didn't separate work from personal matters. He had talked about "wanting out". He talked about "wanting rest". He commented that he was "eternally tired". But on the Monday before his death, he was smiling and it struck her that he seemed to have figured out that he needed rest. It is SCOTT's theory that he had come to some sort of acceptance of something (what that was, she was not sure of) and expected that he was going to feel better soon. She thought it was related to his having taken the weekend off and realizing that he needed to do that sort of thing more often. But this was conjecture on her part.

In describing FOSTER, SCOTT advised that he was not an "open" person. He would not offer information and she took that to mean that he was an extremely private person. It was not his habit to "dump" or unwind by talking about problems. He did not say anything indicating anything was upsetting him. Asked about whether or not she could recall a conversation on Air Force One



OIC 000332

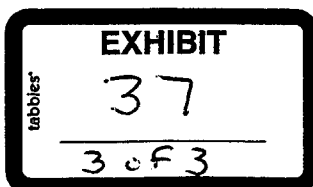
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29D-LR-35063

CONFIDENTIALContinuation of FD 302 of Marsha Scott . On 5/12/94 . Page 4

HUBBELL told SCOTT that BILL KENNEDY (an especially good friend of FOSTER's) was on his way to view the body in order to confirm that it was indeed VINCE FOSTER, JR. VINCE FOSTER's sister, SHEILA ANTHONY lived right across the street from the HUBBELL's and even though VINCE FOSTER's death had not yet been actually been confirmed, SCOTT and the HUBBELLS went over to SHEILA ANTHONY's residence. FOSTER's other sister, SHARON BOWMAN, was also there visiting from Arkansas. SCOTT told the two sisters and niece what had occurred.

SCOTT was unable to say who was notified in what order among The White House staff. She believes that the U.S. Park Police had called CRAIG LIVINGSTONE. KENNEDY and LIVINGSTONE viewed the body and confirmed the identification.



OIC 000334

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FD-302a (Rev. 11-15-83)

CONFIDENTIAL

29D-LR-35063 SUB A

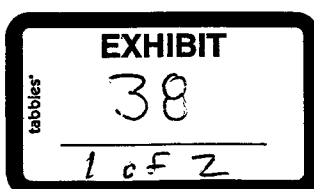
Continuation of FD-302 of Linda A. Tripp , On 4/12/94 , Page 4

covering for her for FOSTER, who was still in his office. FOSTER came out of his office and looked at the cafeteria menu, choosing a hamburger. TRIPP left him with TOM CASTLETON while she went to get his lunch. She dumped a whole handful of M&M candies on his tray as a pleasantry. When she returned CASTLETON was gone. FOSTER asked her what took her so long and said he had sent CASTLETON to go find her. TRIPP was surprised that FOSTER would send CASTELTON to look for her because she had not been gone very long. FOSTER seemed in a rush. He sat at his couch, eating and reading the newspaper. He removed the onions from his hamburger, which struck TRIPP as odd in retrospect. She couldn't understand why he would do that if he was planning to commit suicide. It did not make sense to her that he might be worried about his breath if that were the case. TRIPP does not know if FOSTER likes or dislikes onions. She had never ordered lunch for him before and made a mental note of his preference at the time in case she ever ordered lunch for him again.

Shortly after she left him eating and reading the newspaper FOSTER came out of his office with his jacket on and empty-handed. He said, "There are lot's of M&Ms left in there. I'll be back." There was nothing unusual about his demeanor and he did not seem distressed. TRIPP advised that it was FOSTER's habit to carry his briefcase with him when he traveled to and from work. When he left the office at shortly after 1:00PM he did not have anything with him. TRIPP did not know where he was going and it was not appropriate for her to ask him. He did not have any appointments noted on his office calendars or that anybody knew about.

Some time during the afternoon NUSSBAUM casually asked where FOSTER was, and POND, GORHAM, and TRIPP discussed whether or not they should page him and decided against it. TRIPP does not know if NUSSBAUM paged FOSTER. TRIPP left at 5:30 PM. COYLE, the President's secretary, called TRIPP at approximately midnight to notify her about FOSTER's apparent suicide. TRIPP called GORHAM and notified her, and left a message on POND's telephone answering machine in an attempt to notify her. She did not speak to anyone else that night. She arrived the next day at her usual time, approximately 8:00 AM.

She advised that sometime soon after the death, GORHAM told TRIPP that the morning of his death, much earlier than his leaving, FOSTER had placed three pieces of personal correspondence in the outgoing mail. The pieces were definitely



OIC 000157

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29D-LR-35063 SUB A

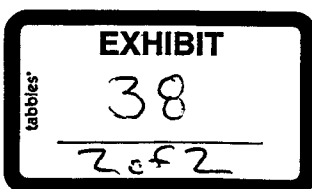
Continuation of FD-302 of Linda A. Tripp, On 4/12/94, Page 5

personal, FOSTER having addressed them by hand and used stamps instead of officially franked envelopes. This was sufficiently unusual that GORHAM noted it, and told TRIPP who two of the items were addressed to. TRIPP was unable to recall one of the items, but said the other was to FOSTER's mother. TRIPP does not know if GORHAM knows who the third piece was addressed to. Pieces of mail are not logged. The couriers who pick up the mail are BOBBY, JACKY, and Helen (all phonetic and last names unknown). TRIPP never mentioned these letters to the Park Police. She does not believe GORHAM or anybody else has either, although TRIPP urged GORHAM to report them to the Park Police. TRIPP is not aware of any discussion with NUSSBAUM about the letters or any other internal discussion of them.

TRIPP advised that the following individuals worked in close proximity to FOSTER: Herself, POND, GORHAM, NUSSBAUM, CASTLETON (an intern), and MARLENE MACDONALD (an unpaid volunteer).

TRIPP never saw a gun in FOSTER's office or in his possession. He never talked about guns or mentioned owning one. TRIPP advised that she could not picture a more non-violent person. He may have had an interest in history, judging from books in his office. TRIPP does not know if he had any hobbies. There is a collage of photographs showing him and Lisa in a boat, which might indicate some kind of interest.

Two things occurred which were out of the ordinary on July 19, 1993, the day before FOSTER died. MARSHA SCOTT, Deputy Assistant to the President and Director of Presidential Correspondence, came to see FOSTER for a closed-door session which lasted over an hour, possibly as long as two hours. This was highly unusual, both her coming to see him and anybody taking up that much time with FOSTER. TRIPP advised that SCOTT went to school with President CLINTON and she is part of the group of "core" Arkansans who go to dinner every Tuesday night. She has no direct knowledge of whether or not SCOTT has attended the "Renaissance weekend" at Hilton Head with the CLINTONS or whether



OIC 000158

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FAIRFAX COUNTY FIRE-TRUCK

00 47 5.0000 July 93

PERIOD: July 20, 1993 - July 21, 1993

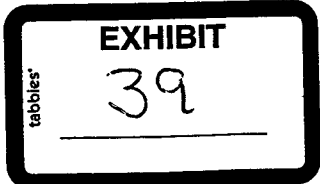
10/17/93
10/17/93

UNIT	DATE	LOGON TIME	LOGOFF TIME	LOGOFF TIME	LOGOFF DATE	INCIDENT NUMBER	UNIT	TYPE	LOGOFF CODE	REMARKS
701	07/21/93		19:03:08						ENRTE	
701	07/21/93		18:03:08						ENRTE	
701	07/21/93		19:03:08						ENRTE	
701	07/21/93		18:19:18						ENRTE	
701	07/21/93		18:25:48						ENRTE	
701	07/21/93		19:37:18						ENRTE	19/05 17-18. ENRTE W/ GUN
701	07/21/93		19:45:29						ENRTE	19/01 11
701	07/21/93	1 15 48		1 15 48	07/21/93	1000	700		ENRTE	1999 FORD F350 AMBULANCE
701	07/21/93		0:02:17						ENRTE	07/21/93
701	07/21/93		02:33						ENRTE	07/21/93 1900 FORD F350 AMBULANCE
701	07/21/93		05:31						ENRTE	07/21/93 1900 FORD F350 AMBULANCE
701	07/21/93		0:05:34						ENRTE	
701	07/21/93		0:07:54						ENRTE	
701	07/21/93		0:12:43						ENRTE	
701	07/21/93		0:34:02						ENRTE	
701	07/21/93		0:39:36						ENRTE	
701	07/21/93		1:03:26						ENRTE	07/21/93
701	07/21/93		1:05:13						ENRTE	07/21/93 LOGON 0076273 1900 FORD F350 A
701	07/21/93		4:15:44						ENRTE	07/21/93 LOGOFF
701	07/21/93		4:15:44						ENRTE	07/21/93 LOGOFF
701	07/21/93		4:14:03						ENRTE	07/21/93 00255 1 ALS 400 GREENWICH
701	07/21/93		6:01:56						ENRTE	07/21/93 00255 1 ALS 400 GREENWICH
701	07/21/93		6:01:56						ENRTE	07/21/93 00255 1 ALS 400 GREENWICH
701	07/21/93		6:01:56						ENRTE	07/21/93 00255 1 ALS 400 GREENWICH
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701	07/21/93		6:03:50						ENRTE	07/21/93 00255 1 ALS 400 GREENWICH
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701	07/21/93		7:13:01						ENRTE	07/21/93 00255 1 ALS 400 GREENWICH
701	07/21/93		8:17:08						ENRTE	07/21/93 00255 1 ALS 400 GREENWICH
701	07/21/93		8:17:08						ENRTE	07/21/93 00255 1 ALS 400 GREENWICH
701	07/21/93		8:17:08						ENRTE	07/21/93 00255 1 ALS 400 GREENWICH
701	07/21/93		8:19:08						ENRTE	07/21/93 00255 1 ALS 400 GREENWICH
701	07/21/93		8:27:36						ENRTE	07/21/93 00255 1 ALS 400 GREENWICH
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701	07/21/93		10:35:59						ENRTE	07/21/93 00255 1 ALS 400 GREENWICH
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701	07/21/93		11:17:18						ENRTE	07/21/93 00255 1 ALS 400 GREENWICH
701	07/21/93		11:31:18						ENRTE	07/21/93 00255 1 ALS 400 GREENWICH
701	07/21/93		11:39:50						ENRTE	07/21/93 00255 1 ALS 400 GREENWICH

This is certified a true copy of the actual field incident report in possession of the Fairfax County Fire and Rescue Department

Signed Jennie Diamond

Date 7-19-94



OFFICE OF THE INDEPENDENT COUNSEL

CONFIDENTIAL

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 :
 TESTIMONY OF : Sunday, June 12, 1994
 :
 PRESIDENT WILLIAM J. CLINTON : Washington, D. C.
 :
 -----X

Testimony of
 PRESIDENT WILLIAM J. CLINTON
 before the Independent Counsel, held at The White House,
 Washington, D. C., beginning at 2:05 p.m., when were present
 on behalf of the respective parties:

FOR THE INDEPENDENT COUNSEL: ROBERT B. FISKE, JR., ESQ.
 Independent Counsel

RODERICK C. LANKLER, ESQ.
 Associate Counsel

FOR THE PRESIDENT: LLOYD N. CUTLER, ESQ.
 Counsel to the President

DAVID E. KENDALL, ESQ.
 Williams & Connolly
 Washington, D. C.

OIC 000463

Court Reporter: Elizabeth A. Eastman

Deposition Services, Inc

EXHIBIT
 40
 1 of 6

1 I had -- I presume you are going to ask about this,
2 but I did have a conversation with him the night before his
3 death.

4 Q Yes, I will get to that. That's why up to now we
5 are just up to the 19th.

6 A Uh-huh. But in that conversation, I referred in
7 the briefest manner to the whole question of operational
8 problems in the White House. So, when we get to that, we can
9 talk about that.

10 Q We'll get there in just a minute. Was there
11 anything else that you heard, right up to that phone
12 conversation on the 19th, that --

13 A No.

CONFIDENTIAL

14 Q -- might be disturbing him?

15 A No.

16 Q Had you ever heard that he was thinking of
17 resigning his job?

18 A No.

19 Q Had you ever --

20 A Not that I recall.

21 Q Okay. Had you ever heard that he expressed concern
22 about some of the unfairness of life in Washington?

23 A Not that I recall. But there was a lot of that
24 kind of concern around that time. I don't recall anything
25 specific though from him.

EXHIBIT

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2 of 6

000166

1 Q Did you ever hear that he had been concerned in any
2 about anything relating to his personal life?

3 A No.

4 Q Had you heard from him or anyone else that he was
5 depressed?

6 A No. Not depressed. Now, again leading up to the
7 day --

8 Q Right.

9 A -- when I talked to him, I knew that he had been
10 concerned about these things that I mentioned earlier. But I
11 wouldn't use the word "depressed".

12 Q Okay. Let me ask you now about the telephone
13 conversation on the 19th. I understand, at least from press
14 reports, that you initiated that call?

15 A Yes, I called him. I called him because I hadn't
16 seen him in a while and I had talked that day to Mr. Hubbell
17 who told me that the Hubbells and the Fosters and another
18 couple had spent the weekend in Maryland and had a very good
19 time. It was a time of high stress for the counsel's office
20 because of the White House travel office matter and other
21 things. And he said that he thought Vince had had a great
22 time and that it had been good for them to get away from the
23 grind of the office and had been a very good weekend.

24 And so, I hadn't seen Vince in a while and I hadn't
25 had a chance to talk to him in a few weeks. So, I decided I

EXHIBIT

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3 of 6

OIC 000478

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1 would call and invite him to the movie that night. So,
2 that's what prompted the call. I called him and asked him if
3 he wanted to come and watch the movie.

4 Q That was "In The Line Of Fire"?

5 A Uh-huh.

6 Q And you were watching that in the White House?

7 A Uh-huh, in the theater here.

8 Q Who else was there?

9 A I think there was just a couple of us. I think Mr.
10 Hubbell was there. I think Mr. Lindsey was there. I'm not
11 sure .. anybody else was there.

12 Q Where did you reach Mr. Foster?

13 A I got him at home.

14 Q How long did you talk?

15 A Ten, 15 minutes.

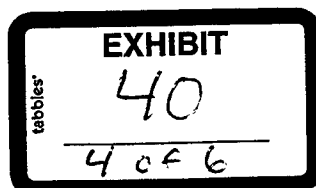
CONFIDENTIAL

16 Q Can you give us the conversation, to the best of
17 your memory?

18 A Yes. When I called him, I thought he might still
19 be at work but it was in the evening. I don't remember
20 exactly what time it was, but it was already night. But he
21 said -- first I asked him if he wanted to come to the movie.
22 And he said that he would like to, but that he was already
23 home with Lisa and he didn't think he should leave and come
24 back to the White House. I understood that.

25 And then I asked him, you know, if he had a good

OIC 000479



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1 time over the weekend, and he said they had a great time.

2 Then I told him that I wanted to talk to him about
3 some matters relating to the White House and I wanted to ask
4 his advice on some organizational issues, but that I could
5 not see him the next day because we had the announcement of
6 Mr. Freeh, the FBI Director, and several other things on my
7 schedule, and could we please meet on Wednesday. And he
8 said, yes, I've got some time on Wednesday and I'll see you
9 then.

10 And that was it. That's basically what we talked
11 about.

12 Q And how did he seem to you?

13 A Well, he didn't seem unduly distressed. I mean,
14 Vince Foster was a very low-key guy. And when you talk to
15 him on the phone, I mean it was not that different from any
16 other conversation I ever had with him.

17 Q When you hung up the phone, did you have any cause
18 for concern about --

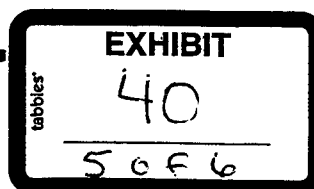
19 A None. None. As a matter of fact, I was just
20 pleased that I was going to be seeing him Wednesday because I
21 hadn't seen him in a while. I mean, whole weeks would go by
22 and I wouldn't see him and I missed that. So, I wanted to
23 see him.

24 Q Was that the last time you talked to him?

25 A Yes, it was.

OIC 000480

CONFIDENTIAL



000169

1 Q At any time from him, or from anyone else directly
2 or indirectly, did you ever hear that he was concerned in any
3 way about anything relating to Whitewater, Madison Guaranty
4 Savings & Loan?

5 A No.

6 Q Did you ever hear, directly or indirectly from him
7 or anyone else, that he had any concern about any matters
8 relating to any legal problems that you and Mrs. Clinton
9 might or might not be facing?

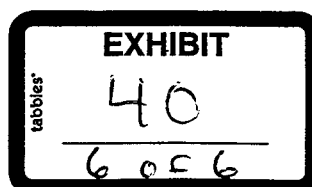
10 A No.

CONFIDENTIAL

11 Q Just one last question about this phone call. Did
12 you place this phone call to him because you had heard from
13 other people that he was sort of down and you thought he
14 might need a little cheering up?

15 A No, because I knew he had been under a lot of
16 stress, as all the members of the counsel's office were,
17 trying to deal with this travel office issue and other things
18 that were going on, just general burden of work. But, in
19 fact, I had heard from Mr. Hubbell that they had had a very
20 good weekend and that he seemed much more relaxed and that it
21 was a good thing for him to have a chance to get away with
22 his wife and with two other couples who were friends of his.
23 So, I called him just because I genuinely missed
24 him and I wanted to talk with him. I wanted to see how he
25 was doing, but I also wanted to ask his advice on some

OIC 000481



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NATIONAL PARK SERVICE
SUPPLEMENTAL CRIMINAL INCIDENT RECORD

JUVENILE CASE #

REPORTING AREA United States Park Police	DATE OF OCCURRENCE 07 20 1993	TIME 9:30	CASE/INCIDENT NUMBER - 310151012
NATURE OF INCIDENT Death Investigation	RECLASSIFICATION OF INCIDENT		

RESULTS OF INVESTIGATION

On Thursday, August 22, 1993, Detective [Pete Markland] and I responded to the White house to meet with Special Agents Scott Salter and Dennis Condon of the FBI to conduct interviews. The purpose of the interviews were to reconstruct the final hours of Vincent Foster's life.

We started the interview at approximately 0900 hours. Ms. Pond got in to work at around 0900 hours on Tuesday, July 20th. Usually there is a staff meeting of the counsel's office from 0900 to 0945 hours each morning that Vincent Foster would attend. She assumed he was at the staff meeting as she didn't see him when she arrived at work. She first recalled seeing him outside in the Rose Garden. The President was nominating Judge Freeh at the ceremony as the new director of the FBI.

She doesn't recall Vincent Foster having any visitors on Tuesday. The first conversation she had with him was about lunch around 1200-1230 hours. He said he would eat at his desk. He ordered a medium rare cheeseburger, french fries and coke. She and Linda Tripp went to the cafeteria and ordered his lunch. She recalled there were M & Y's on the tray with the food because Linda wanted them. He sat on his sofa and ate lunch in his office.

At around 1300 hours he came out of the office and stated "I'll be back, there are M & Y's left in my office". Ms. Pond recalled that she and Linda were in the office when he left. She wasn't sure if Tom was in the office or not. Tom Castleton is a young college graduate working in the office. There was nothing unusual about his emotional state. In fact, over the last several weeks she did not notice any changes, either physically or emotionally. She noticed no weight lost. She was unaware of him taking any medication or seeing any doctors. I asked her would she be surprised if I found out he was seeing a psychiatrist. She said yes. She was not aware of any depression problems. She had no information whether he owned any weapons.

EXHIBIT
41

10 WARRANTED <input type="checkbox"/> YES <input type="checkbox"/> NO	11 LATENT <input type="checkbox"/> LATENT <input type="checkbox"/> PHOTOS	12 PHOTO NOTIFIED	13 INVESTIGATOR NOTIFIED	14 PAGE 1 OF 2 PAGES
15 STATUS <input type="checkbox"/> OPEN <input type="checkbox"/> SUSPENDED <input type="checkbox"/> CLOSED BY	<input type="checkbox"/> ARREST	<input type="checkbox"/> RECEIPTION	<input type="checkbox"/> UNFOUNDED	
16 REPORTING OFFICER	SAC/CLERK	DATE	17 INVESTIGATOR [Signature]	18 SUPERVISOR [Signature]

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FD-302a (Rev. 11-15-83)

CONFIDENTIAL

29D-LR-35063

Continuation of FD-302 of C. BRANTLEY BUCK, On 5/18/94, Page 2

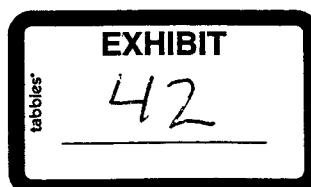
in increasing FOSTER's stress if he was not able to work out any longer.

BUCK opined that from a laymen's standpoint and with hindsight, FOSTER appears to have suffered from classic depression. He found out about FOSTER's suicide from CAROLYN HUBER who called him from Washington, D.C. on July 20, 1993 at approximately 11:30 pm D.C. time to notify him of FOSTER's death.

BUCK advised that the reason he called FOSTER on July 20 related to the preparation to the blind trust for President and First Lady CLINTON. BUCK explained that he was preparing the blind trust and coordinating the effort through VINCE FOSTER. He further explained that once the contents of a blind trust are certified by the Office of Government Ethics, there is a 30 day period within which the documents all have to be executed. BUCK had sent documents to Washington, D.C. for President CLINTON to sign. BUCK had in his possession already, documents for HILLARY CLINTON to sign and it was expected that HILLARY CLINTON would be coming through Little Rock and would be available to sign remaining documents on or about July 21. She had been gone for two or three weeks on a trip to Japan. BUCK had many documents for HILLARY CLINTON to sign and a few that the President needed to sign. VINCE FOSTER was supposed to make sure that the President signed the documents and that they were mailed to BUCK in Little Rock.

BUCK had called VINCE FOSTER on July 19 to check on the status of the documents and hadn't been able to reach FOSTER. He called again on the 20th, FOSTER returned his call at 12:17 D.C. time. BUCK called back at approximately 1:00 pm D.C. time. There were no difficulties with the blind trust per say FOSTER had been handling the whole matter completely normally. It was done the only tasks which needed to be completed were ministerial. As it turned out BUCK did not receive the documents from President CLINTON but there was no permanent damage because he evidently did get all the documents executed within the 30 day period.

BUCK advised that he has only spoken to LISA FOSTER on a casually basis, so he does not know her well. He did not know FOSTER to hunt or have an interest in guns but FOSTER didn't seem like the type to hunt or have such an interest. He was surprised when he heard that FOSTER had used a gun since FOSTER seemed to be a very non-violent person. It was, however, a no nonsense



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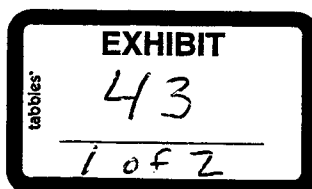
CONFIDENTIALContinuation of FD-302 of GORDON S. RATHER, JR. On 5/17/94 Page 2

discussed between the two men and they didn't have the kind of relationship where RATHER and FOSTER would have had philosophical discussions of any depth.

RATHER explained that he is very active in the American Board of Trial Advocates (ABOTA). ABOTA is a professional organization of approximately 4,000 attorneys. In order to qualify for membership one must have completed 20 civil jury trials and joining is by invitation only. It is the only organization (other than bar organizations) that has both plaintiff and defense attorneys in the same organization. FOSTER was a member of the Arkansas Chapter of ABOTA but resigned when he went to Washington, D.C. to join The White House staff in order to avoid any kind of appearance of impropriety.

On March 2, 1993, RATHER and two colleagues from ABOTA, DON SHULTZ, then National President of the organization and STEWART GROSSMAN, a plaintiff's trial lawyer from Miami, Florida, met with VINCE FOSTER at 11:00 am in the West Wing of The White House. Their meeting lasted from 30-45 minutes and the purpose of it was to encourage The White House to fill vacancies on the Federal Bench. RATHER explained that as an organization, ABOTA is dedicated to the preservation of the right to civil jury trial in this country. The organization was attempting to influence President CLINTON to fill those vacancies. Not to fill them with any particular people, but to fill them. RATHER explained that about 120 Federal District Court benches are vacant currently. The largest number of vacancies is at the Federal Trial Court level. Vacancies affect peoples' access to the courts for civil jury trials. ABOTA does not lobby for any particular list of perspective nominees. The three men were visiting FOSTER to encourage him to encourage the President to fill the vacancies.

At the March 2 meeting, FOSTER made neither promises nor assurances to the three men on behalf of ABOTA. He was aware of the problem of the vacancies on the bench and FOSTER introduced them to RON KLAIN, a White House staffer who was coordinating the effort to fill the Federal Judicial vacancies. That was the last time that RATHER saw FOSTER. After the three men left the Old Executive Office Building after talking with RON KLAIN for a short time, RATHER recalled one of the men turning to him and saying, "This is one of the most unforgettable days in my life and VINCE FOSTER is one of the most impressive men I've ever met".



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CONFIDENTIAL

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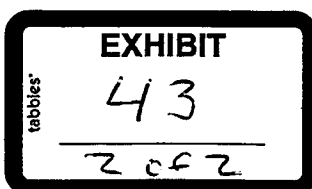
Continuation of FD-302 of GORDON S. RATHER, JR. , On 5/17/94 , Page 3

RATHER advised that he does not recall speaking with FOSTER again, but knows he must have to get RON KLAIN's mailing address. RATHER called FOSTER on July 20 out of sheer coincidence. FOSTER was not expecting his call and RATHER called in order to speak with him about ABOTA business. It was just fateful that it was that day that FOSTER committed suicide. He was impressed with the fact that the same day, possibly within an hour of his call, someone from FOSTER's office called him back and asked if it were an urgent matter or if it was all right if FOSTER returned his call the following day.

RATHER heard the news of FOSTER's death by reading it in the newspaper on July 21, 1993. He said that FOSTER was one of the most unlikely candidates for suicide he can imagine. He commented that an article in the newspaper that appeared not too long after FOSTER's death on the topic of executive suicide, was somewhat helpful to him in understanding why it may have happened.

RATHER said it was his theory that if FOSTER had not gone to Washington, D.C. he would be alive today. FOSTER had always succeeded and had never failed at anything. In Washington, D.C., no matter what he did, people were critical of it and perhaps that it was something that he just couldn't deal with.

RATHER was never aware of any rumors concerning a romantic liaison between FOSTER and HILLARY RODHAM CLINTON. RATHER said, however, that his wife told him that there were such rumors circulating.



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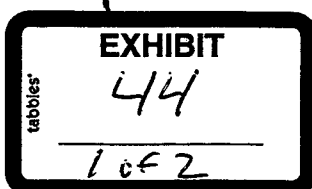
**Privileged and Confidential
Attorney Work Product
Attorney/Client Communication
Prepared in Anticipation of Congressional Hearings**

DRAFT - Sherburne & Nemetz
May 15, 1996

Foster

1. Notification

- a. **Mussbaum** -- was at Galileo with Zimroth having dinner when he was paged and told it appeared that Foster had committed suicide.
- b. **Williams** -- was at home and received a call from HRC who asked her to wait for a second call. HRC told her that Foster had killed himself. She called Evelyn Lieberman who picked her up and drove her to the West Wing.
- c. **Watkins** - was at a movie theater with his wife, where they had gone to see "In the Line of Fire." Watkins was paged by the White House Signal operator. Watkins placed a call from a public phone to someone in the White House and was told that Foster was dead. He said it was of the utmost importance that the death be confirmed, and was told that Kennedy and someone else were on their way to the hospital to identify the body. He also learned that two people were on their way to the Foster house to notify Mrs. Foster. Watkins wanted to go with them. This was arranged.
- d. **Burton** -- learned of Foster's death from Watkins, and told McLarty. McLarty directed him to get more information; he then talked to the hospital and the Park Police. He went up in the elevator with McLarty and the President and was there when the President was told the news. He gave the President an account of his conversation with the Park Police.
- e. **McLarty** -- Shortly after the interview with Larry King began, Mack McLarty was heading back to his office, planning to go home, when he encountered Bill Burton. Burton said he had disturbing news. He said that the Park Police had informed David Watkins that a person fitting Foster's description had been found dead, the victim of an apparent suicide. McLarty asked Burton to monitor the situation. They discussed the need to notify Foster's family, the President, and the First Lady, who was in Little Rock with her ailing father.



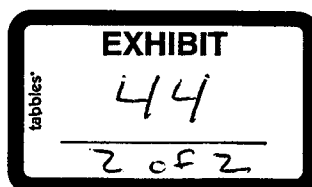
DF 781054

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- i. Kills -- had just returned home from the White House at about 9 p.m. when she received a call from Dana Lawrence in the Office of Personnel Security. She returned to the White House right away.
- j. Kennedy -- left work at 7 p.m. Livingstone called him at home between 8 and 8:30 and said that Foster was dead. Craig said he had spoken with the Park Police. Kennedy was aghast and asked Craig to confirm the information. Craig called back later and said he had confirmed that Foster was dead, and said that it had been a suicide and that the body was found in a park. Craig also said he had learned from the Park Police that the body was en route to a hospital. Kennedy was familiar with the hospital and said he would meet Livingstone there. Kennedy arrived first. It took 45 minutes before they could get confirmation that the body was there. Finally, they were permitted to see the body. After viewing the body, Kennedy called McLarty at the White House and spoke with him briefly. McLarty already knew about the death; the President was still on Larry King. Kennedy also called Nussbaum, who said he was going to go to Foster's house. Kennedy decided to go to the Foster house also.
- k. Livingstone -- was at home and got a call from the Secret Service. He talked to Watkins and learned that Bill Kennedy was at the hospital. He went to the hospital and met Kennedy there. He called Watkins from the hospital.
- l. Scott -- Webb Hubbell, Susie Hubbell, and Marsha Scott were eating dinner at the Lebanese Taverna, along with two of the Hubbells' children, when Hubbell was paged. Hubbell returned the page and said they would have to leave, but suggested that the children stay to finish their dinner. Marsha's first thought was that they had been invited to see a movie at the White House. On the way to the car, Hubbell told Susie and Marsha the news. They drove to the Hubbells' house, but realized they were locked out because they had left the keys with the children. Sheila Anthony lived near the Hubbells. Marsha and Webb walked to Anthony's house, while Susie Hubbell waited outside the house for the children to return from dinner. Marsha and Webb found Sheila Anthony at home with Vince Foster's other sister and her daughter, who was visiting from out of town. Marsha told them what had happened. They discussed the importance of finding Beryl Anthony, Sheila's husband, who was out with Foster's two sons, and also called Barbara Pryor. Eventually the group headed for the Foster house.



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THE WHITE HOUSE

Office of the Press Secretary

Internal Transcript

July 21, 1993

REMARKS BY THE PRESIDENT
IN ADDRESS TO WHITE HOUSE STAFF

Room 450 Old Executive Office Building

MR. MCLARTY: Good afternoon. Thank each and every one of you for joining us this afternoon. We apologize for being a bit late. We had a briefing with the Alabama press contingent, and we are very sorry we're a few minutes late.

This afternoon, it certainly seemed the right thing to do for us to come together as a group, and a group that values and in many ways reveres the relationships we have, both personally and professionally, to express heartfelt and genuine sympathy for the loss of a colleague: heartfelt and genuine sympathy to Vince Foster's family -- his wonderful wife, Lisa and their three children, and his mother, Alice Mae Foster, who still resides at Hope -- to pay respect for a life that was a full one. One that was rich in accomplishment, but also rich in individual and personal relationships.

Those of you who knew Vince only for a short time, and those of you that had the rare pleasure, as the President and I have had for some 40 years, to know Vince Foster since childhood, you saw those same qualities, regardless of that 40-year relationship, or 40-day relationship, of wisdom, genuineness, substance, a deep commitment to family and to work, and an absolute commitment to friends.

Today is not only appropriate in terms of our coming together as a White House to express our sympathy, but also, frankly, for us to take an appropriate step in working through our feelings individually. Because it is essential that we continue to move forward in this period, in this very important period in the life of our country. We will all feel the loss and express the loss in our own personal way, as it should be.

There always is conversation and discussion about the loss of anyone whose friendship and relationship we value, and there may be particular interest in this situation. I think all of us certainly understand the appropriateness of that situation, and that no one can say with any certainty what causes the loss of a life under these circumstances, and in most cases under any circumstances. And this matter needs to be handled, as I know all of you will handle it, with the utmost appropriateness and dignity and respect for a special individual and friend.

Again, thank each of you for joining us today. It underscores what every one of us knows -- that this is a White House not only composed of very dedicated and capable people and outstanding professionals, but also thoroughly decent and caring individuals whom it's a rare privilege for each of us to have the association in that regard.

With those comments, I would like to ask Bernie [unclear] White House Counsel to move forward at this time.

MR. ROSSIGNOL: Thank you, Mack. The President of the United States had the very good sense to retain a Deputy White House Counsel, and he retained a White House Counsel. He had a good

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- 3 -

When I started my career in Arkansas politics, he was there to help me. When I decided to run for attorney general, he was the first lawyer in Little Rock I talked to about supporting me. When the Rose law firm hired Hillary after I moved to Little Rock, Vince Foster and Webb Hubbell became her closest friends. I have two things to say about that: One is, he was a perfectly wonderful man on whom I relied and on whom I put a lot for a very long time. The second thing is, for all of you who are especially younger, you will find the longer you live, the more you mark the shape of your life by the people you have truly loved who, for whatever reason, aren't around anymore.

And so, I want you to think about the following: In the first place, no one can ever know why this happened. Even if you had a whole set of objective reasons, that wouldn't be why it happened, because you could get a different, bigger, more burdensome set of objective reasons that are on someone else's list in this room. So what happened was a mystery about something inside of him. And I hope all of you will always understand that.

The next thing I want to say is, this should teach us all, again, a little humility. We come here and labor and work like crazy as if the idea of progress were a given, if only we worked hard enough, pushed enough rocks up a hill and, yet, every time you'd look around, there is some reminder that we are not really fully in control of our own destiny, even though we are morally obliged to try to be. That is the lesson of the floods in the Midwest, and that is the lesson of what happened to Vince yesterday. And it should give you pause when you catch yourself neglecting your own life and your own family and our own children and your own parents and your own friends, because if you just stayed here 30 minutes more, something wonderful might happen.

And I think we should think about that and take more care of ourselves and our loved ones and, frankly, maybe be a little more alive to the potential depression and frustration of the people with whom we work.

And the last thing I want to say is that Vince Foster spent a lifetime knowing when not to put himself first. And maybe he did that too much. But he had an extraordinary sense of propriety and loyalty, and I hope that when we remember him and this, we'll be a little more anxious to talk to each other and a little less anxious to talk outside of our family. We'll be a little more concerned about how we can help one another look good and achieve one another's goals, rather than how we might pursue our own objectives at the expense of someone else here. Those are the kinds of things that he would never have done.

Those of us who knew him a long time, we're having a real hard time dealing with this. Because everybody who had known him any length of time could remember sometime when we were weak and he was strong, and, virtually, never an occasion where he was weak and we were strong. And so, think about that. We ought to leave here with humility, with more care for ourselves and our fellow workers, and a greater sense of loyalty as well as restraint of what we're involved in.

And the last thing I want to say is that all of us who loved him also did a little bit of laughing last night. Just as it is wrong to try to explain or understand something that cannot be grasped, it is very wrong to define a life like his in terms only of how it ended. And anybody who is not proud to have this man as a friend, done the work, seen the friends that he had close to you.

END

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**DEPOSITION OF WILLIAM H. KENNEDY
IN RE: S. RES. 120**

TUESDAY, JULY 11, 1995

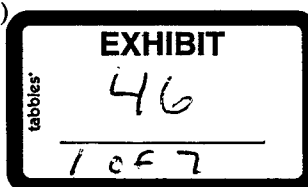
**U.S. SENATE,
COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS,
SPECIAL COMMITTEE TO INVESTIGATE WHITEWATER
DEVELOPMENT CORPORATION AND RELATED MATTERS,
Washington, DC.**

Deposition of WILLIAM H. KENNEDY, called for examination pursuant to notice of deposition, at 9:50 a.m. in Room 640-A of the Hart Senate Office Building, before JULIE BAKER, a Notary Public within and for the District of Columbia, when were present:

EVERETT C. JOHNSON, JR., Esq.
Majority Deputy Special Counsel
NEAL E. KRAVITZ, Esq.
Minority Principal Deputy Special Counsel
U.S. Senate
Committee on Banking, Housing, and Urban Affairs
534 Dirksen Building
Washington, DC 20510
On behalf of the Committee.

PAUL V. CASTELLITTO, Esq.
Sharp & Lankford
1785 Massachusetts Avenue, NW
Washington, DC 20036
On behalf of the Deponent.

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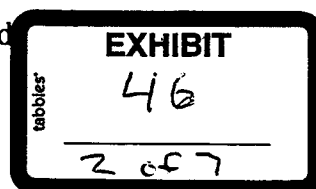


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1 contributed to the campaign. I think the way you
 2 phrased that question, the answer is no.
 3 Q Did you have any role in the transition
 4 team?
 5 A No.
 6 Q Would you tell us how it is that you got
 7 the job that you did get in the administration.
 8 A I was basically invited to come.
 9 Q By whom?
 10 A Mrs. Clinton.
 11 Q When do you recall that you and
 12 Mrs. Clinton first discussed your joining the
 13 administration?
 14 A I don't recall precisely. It was either
 15 late in December or it may have been in January. I
 16 don't recall precisely. That would have been
 17 1992/1993.
 18 Q Did you join the administration immediately
 19 after the inauguration in 1993?
 20 A I did not.
 21 Q As precisely as you can recall, when did
 22 you first begin working in the White House?

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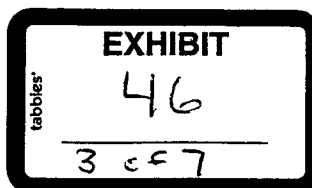
1 A I went on the payroll February the 10th,
 2 1993.
 3 Q Are you distinguishing that from the day
 4 you actually started work and --
 5 A I think I came -- my first visit to
 6 Washington would have been around the 2nd or 3rd of
 7 February, at which point I accepted the job offer to
 8 work in the counsel's office. And there would have
 9 been both activities winding up my law practice and
 10 then starting to gear up to work in the counsel's
 11 office between the 2nd and 3rd and 10th.
 12 Q At that time, when you began work in the
 13 White House counsel's office, to whom did you report?
 14 A Bernard Nussbaum.
 15 Q And did you report through Mr. Foster to
 16 Mr. Nussbaum or did you report directly to
 17 Mr. Nussbaum?
 18 A Usually through Mr. Foster.
 19 Q What generally were your job duties as
 20 assistant White House counsel?
 21 A I ran the clearance process for
 22 presidential nominees and appointees. I also headed



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1 evening of the 20th when you learned about
 2 Mr. Foster's death?
 3 A That's correct.
 4 Q Can you tell us what you recall about that?
 5 A It was around 8:00 or so. I got a phone
 6 call from Craig Livingstone telling me that he had
 7 gotten a report that Vince was dead.
 8 Q Were you at home?
 9 A Yes.
 10 Q Where was Mr. Livingstone when he called
 11 you?
 12 A I don't know.
 13 Q Did he call you on a LAN line telephone?
 14 A Yes.
 15 Q Do you remember anything else about what
 16 Mr. Livingstone said?
 17 A I didn't believe it, and I refused to
 18 accept it, and I told him that he needed to reconfirm
 19 it.
 20 Q What did Mr. Livingstone say?
 21 A He told me he thought his information was
 22 good, but I insisted that he reconfirm it, and he was

1 nice enough to do so.
 2 Q In this conversation, in the vicinity of
 3 8:00 p.m. on this evening with Mr. Livingstone, did
 4 he indicate to you that Mr. Foster had apparently
 5 taken his own life?
 6 A He did not know any details, other than
 7 there was a report that he was dead. He had been
 8 found in a park.
 9 Q What's the next thing that you recall
 10 relating to Mr. Foster on that evening?
 11 A Mr. Livingstone called back. He had, as I
 12 said, confirmed --
 13 Q How much time elapsed between the first and
 14 second call?
 15 A I don't know. Not very much.
 16 Q Few minutes?
 17 A I don't know. He had called -- when he
 18 called back, he had additional information, and the
 19 additional information was that the body was en route
 20 to a hospital. The name escapes me right now.
 21 Q Is it Fairfax Hospital?
 22 A I think that's right. And I told him I



1 would go over there, check it out, so I did.

2 Q By "check it out," you mean you would
3 identify Mr. Foster's body?

4 A In my mind, I was going to go over there
5 and see what was going on because I still didn't
6 believe the reports but if there was a necessity of
7 identifying the body, I was as good as anybody to do
8 it.

9 Q In between your first conversation with
10 Mr. Livingstone and the second conversation you just
11 described, did you speak with anyone about Mr. Foster
12 or what Mr. Livingstone had told you?

13 A Just my wife.

14 Q Did you, in fact, go to the hospital?

15 A I did.

16 Q Before you left for the hospital, did you
17 call anyone else in the White House to convey any
18 information of any kind?

19 A I did not.

20 Q And I take it you met Mr. Livingstone at
21 the hospital?

22 A I got there before he did, so it would be

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1 better to say he met me there. The answer is yes.

2 Q How far was Fairfax Hospital from your
3 home?

4 A Pretty good ways. I couldn't tell you in
5 miles. I mean, I could show you on a map where I
6 live, and you could figure it out. It's a pretty
7 good ways.

8 Q Do you have any estimates in minutes how
9 long it may have taken you?

10 A 20 to 25 maybe.

11 Q Where did you live at the time?

12 A I lived in the Beverly Hills subdivision of
13 Alexandria.

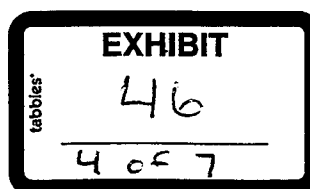
14 Q After you and Mr. Livingstone -- after
15 Mr. Livingstone met you at the hospital, what's the
16 next thing that you recall?

17 A About what? You want to know --

18 Q In connection with Mr. Foster's death.

19 A After enduring some bureaucratic runarounds
20 and whatnot, I was finally allowed to see the body,
21 and I confirmed that it was Vince Foster.

22 Q How long did you and Mr. Livingstone remain



1 Q Did you discuss with either Mr. McLarty or
2 Mr. Nussbaum whether Mr. Foster had left a suicide
3 note?

4 A I did not.

5 Q And I take it you didn't discuss with
6 either of them whether or not Mr. Foster's office
7 ought to be locked or secured or otherwise sealed?

8 A No.

9 Q Did you speak to anyone else at the White
10 House during that telephone call?

11 A No.

12 Q I suggested to you you may have spoken with
13 Mr. Hubbell. Do you have a clear recollection
14 whether you spoke with Mr. Hubbell?

15 A I think -- I don't have a clear
16 recollection of it, but I think I called Web at
17 Lisa's house, Lisa Foster's house.

18 Q How did you know Mr. Hubbell was there?

19 A I didn't.

20 Q Were you calling to speak with Mr. Hubbell,
21 or were you calling to speak with someone else?

22 A I don't think I was calling to speak to

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1 anybody. What I wanted to do was to speak to a
2 family member, to let them know that I was out there
3 and had seen the body, and it was Vince.

4 Q So you called Mr. Foster's home and
5 coincidentally spoke with Mr. Hubbell?

6 A Yeah, I don't recall exactly how I got
7 there. I don't know who answered the phone, but I
8 got to Web, which is not surprising.

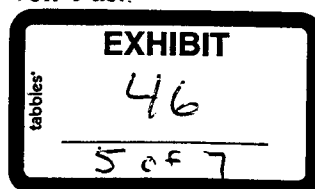
9 Q Because of his closeness with the Foster
10 family?

11 A Uh-huh.

12 Q What do you recall about your conversation
13 with Mr. Hubbell?

14 A I just told him -- I know now that a lot of
15 stuff had occurred while I was at the hospital, such
16 as the Park Police going to notify them and like
17 that, but I, of course, didn't have any idea that had
18 gone on, because I had gone straight to the
19 hospital. So I just passed on the information that I
20 was at the hospital, and I had seen the body, and I
21 told him -- I told Web I was coming to the house.

22 Q You don't recall anything -- I won't ask



1 all the same questions -- because you just don't
2 recall anything more about the conversation?

3 A I don't recall anything more about the
4 conversation, but the topics that you're interested
5 in did not come up.

6 Q Okay, Mr. Kennedy. What's the next thing
7 that you did?

8 A As I say, I was in pretty bad shape, but I
9 got back in the car to go get my wife so that we
10 could go to the Fosters.

11 Q Did you drive yourself?

12 A No. Craig Livingstone drove me.

13 Q To your home?

14 A Yes.

15 Q And I take it you picked up your wife and
16 proceeded to the Foster residence; is that correct?

17 A Well, she had to get dressed and basically
18 I had to get dressed, and so the answer is we got to
19 the house; we changed clothes, which took a little
20 while; then drove to the Foster residence.

21 Q What time on the evening of the 20th or
22 early morning hours of the 21st do you think you

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1 arrived at the Foster residence?

2 A I couldn't tell you. I don't know if it
3 was before or after midnight. It was pretty late.

4 Q Focusing now on the period of time after
5 when you left the hospital and before you arrived at
6 the Foster residence, did you have any conversations
7 or discussions with anyone about a suicide note or
8 the contents in Mr. Foster's office?

9 A I did not.

10 Q When you arrived at the Foster home, late
11 on the 20th or early on the 21st, were there others
12 already there?

13 A Yes.

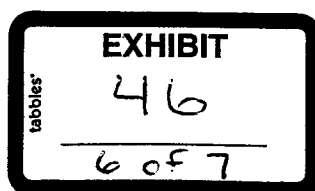
14 Q Did you go inside Mrs. Foster's house?

15 A I did.

16 Q Did Mr. Livingstone go with you, or did he
17 remain outside?

18 A I don't recall precisely if he went in
19 precisely when I did. I think he went in for a
20 while, but he also went back outside. I just don't
21 recall.

22 Q Who else was there?



1 not anyone else did?

2 A No.

3 Q Mr. Kennedy, what did you do when you left
4 the Foster residence that evening?

5 A Got in the car with my wife and
6 Mr. Livingstone and we drove Craig back to the
7 hospital where his vehicle was, and then I went home.

8 Q In the early morning hours of the 21st
9 before going to work the next morning, did you have
10 any other involvement or activities relating to
11 Mr. Foster's death?

12 A That's an awfully broad question.

13 Q I'm just trying to make sure, at this point
14 in time, we're done with that night.

15 A Well, I mean I got obviously no sleep, got
16 up the next morning and went in to work.

17 Q You didn't have any further conversations
18 with anybody other than perhaps your wife on that
19 evening?

20 A I think when I got up that morning, I tried
21 to reach some of my former law partners to be sure
22 they knew, but other than that, no.

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1 Q Did you call after -- strike that, Julie.
2 I'm sorry.

3 Other than the telephone calls that you've
4 described to the White House to Mr. McLarty in which
5 you may also have spoken with Mr. Nussbaum, did you
6 call the White House at any time on the evening of
7 20th or early morning hours of the 21st?

8 A Did not.

9 Q There have been, as I recall, press reports
10 at some point in time -- and I'm sorry, I don't have
11 them with me -- that perhaps you, or others perhaps,
12 may have been trying to find a combination to a safe
13 either in Mr. Foster's office or some other location
14 on that evening. Have you seen those press reports?

15 A No, but I've heard about them.

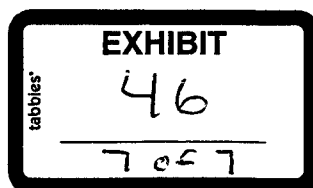
16 Q Is there any truth in them?

17 A No.

18 Q Do you even know whether Mr. Foster had a
19 safe?

20 A As far as I know, he did not, in his
21 office.

22 Q Do you know whether or not Mr. Nussbaum had



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**DEPOSITION OF CRAIG LIVINGSTONE
IN RE: S. RES. 120**

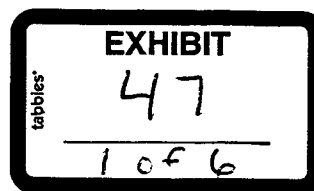
MONDAY, JULY 10, 1995

**U.S. SENATE,
COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS,
SPECIAL COMMITTEE TO INVESTIGATE WHITEWATER
DEVELOPMENT CORPORATION AND RELATED MATTERS,
Washington, DC.**

Deposition of CRAIG LIVINGSTONE, called for examination pursuant to notice of deposition, at 11:15 a.m. in Room 640-A of the Hart Senate Office Building, before LORI J. SEGNERI, a Notary Public within and for the District of Columbia, when were present:

EVERETT C. JOHNSON, JR., Esq.
Majority Deputy Special Counsel
RICHARD BEN-VENISTE, Esq.
Minority Special Counsel
LANCE COLE, Esq.
Minority Deputy Special Counsel
U.S. Senate
Committee on Banking, Housing, and Urban Affairs
534 Dirksen Building
Washington, DC 20510
On behalf of the Committee.

RANDALL J. TURK, Esq.
DAVID S. COHEN, Esq.
Miller, Cassidy, Larroca & Lewin
2555 M Street, NW
Washington, DC 20037
On behalf of the Deponent.



1 A Right. It's not uncommon for people to
2 have one long title.

3 Q Okay. And you reported to Mr. Kennedy?

4 A That's correct.

5 Q What was Mr. Kennedy's title? Do you
6 recall?

7 A I believe he was associate counsel to the
8 President for the entire time that I worked for him.

9 Q Okay. And then you testified that later in
10 time your title changed. Did your job also change,
11 or just the title?

12 A No, sir. To be specific, the title changed
13 but the job did not change.

14 Q And did you continue to report to
15 Mr. Kennedy?

16 A I've had four bosses, but --

17 Q Why don't we go through those real
18 quickly. Was Mr. Kennedy the first one?

19 A No. Interim person that ran, oversaw my
20 office was Cheryl Mills. I'm not positive, but I
21 believe she was the first person in counsel's office
22 that I talked to about the job.

14

1 Q Okay.

2 A Shortly thereafter Mr. Kennedy came on.

3 Q Okay.

4 A Then Ms. Beth Nolan. And now Chris Cerf,
5 C-e-r-f.

6 Q In July of 1993, the month that Mr. Foster
7 died, were you reporting to Mr. Kennedy at the time?

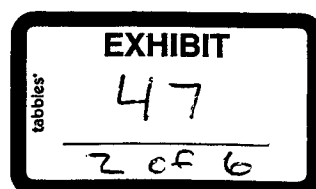
8 A Yes, sir.

9 Q I understand that the job title has
10 changed, but the job itself has remained pretty much
11 the same. Is that a fair statement?

12 A Actually some of my responsibilities have
13 been reduced.

14 Q Okay. Why don't we focus on your
15 responsibilities as the -- they existed in July of
16 1993 for the moment. And just tell me what they
17 were.

18 A Principally to adjudicate backgrounds on
19 individuals submitted by FBI, CIA, Department of
20 State, Department of Defense, et cetera as they would
21 pertain to individuals' employment at the White
22 House, suitability for employment.



1 agent as a formal role.

2 Q Mr. Cole is a formal role and more informal
3 role with Mr. Martin?

4 A Right. I wasn't specifically assigned to
5 talk to Mr. Martin, it just sort of turned out that
6 way.

7 Q Okay. And part of your job, I take it, was
8 to facilitate getting White House passes for White
9 House employees; is that correct?

10 A Correct.

11 Q Did you deal with anyone in the White House
12 counsel's office as part of that responsibility?

13 A Yes. It came -- before the backgrounds
14 would come to me, they would go to Mr. Kennedy and
15 the other counsels as well when they operated in that
16 role.

17 Q Did you ever have an occasion to deal with
18 Mr. Foster in connection with that?

19 A With backgrounds, no. Not to my knowledge.

20 Q And you yourself, Mr. Livingstone, had a
21 White House pass, I take it?

22 A Yes.

1 Q And did that pass enable you to move freely
2 within the White House complex?

3 A The passes are really building passes.
4 They don't necessarily signify where can you move on
5 the surface. They do, but they don't mean that you
6 can move freely. The idea is that you need to be
7 where you need to be. They're like -- I wouldn't go
8 to the residence and go to living quarters, and I
9 wouldn't hang out around chief of staff's office.

10 Q But if you wanted to walk into the west
11 wing at any given time on your work day, you could do
12 that with the pass you have?

13 A That's correct.

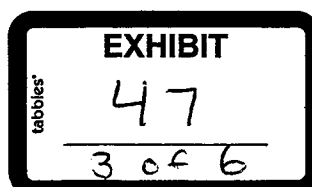
14 Q Did you drive to the White House routinely,
15 or did you arrive in some other way?

16 A Routinely I would drive to work.

17 Q Mr. Livingstone, in the White House complex
18 where is your office?

19 A I'm located in the Executive Office
20 Building in room 84.

21 Q And has that been true throughout the
22 period of your employment?



1 the 20th after you identified Mr. Foster's body?

2 A We notified the White House. I called -- I
3 believe that I reached Mack McLarty, and I put
4 Mr. Kennedy on the phone, and he proceeded to tell
5 him that it was Mr. Foster.

6 Q What's the next thing you remember?

7 A Somewhere around that time. I don't
8 remember the chronology exactly, but I was talking
9 with either Gearan or someone else that did they want
10 me to notify the hospital switchboard if they got any
11 inquiries or calls who they should call, who they
12 should be referred to. And he told me to have them
13 call Dee Dee Myers at the White House, something to
14 that effect.

15 Q Okay.

16 A And I notified -- I think I notified the
17 switchboard, but I may have notified someone in the
18 administration.

19 Q What's the next thing that happened?

20 A We left the hospital.

21 Q We, meaning who?

22 A Mr. Kennedy and I left the hospital.

1 Q Okay. I neglected to ask you, did you
2 drive to the hospital?

3 A I drove my car to the hospital.

4 Q Alone?

5 A Correct.

6 Q And did you and Mr. Kennedy leave the
7 hospital together?

8 A Yes, we did.

9 Q Did you get in the same car or separate
10 cars?

11 A As I recall it, I drove -- as I recall it,
12 I drove Mr. Kennedy in my car to his house.

13 Q Do you know how Mr. Kennedy got to the
14 hospital?

15 A He drove his car.

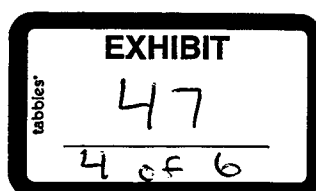
16 Q So you left Mr. Kennedy's car at the
17 hospital?

18 A Correct. He was pretty upset.

19 Q Okay. Then you drove to the Foster
20 residence; is that correct?

21 A No, sir, we drove to Mr. Kennedy's house.

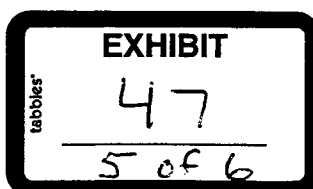
22 Q Okay. What was your --



1 (Discussion off the record.)
 2 BY MR. JOHNSON:
 3 Q What was your purpose in going to
 4 Mr. Kennedy's home?
 5 A We picked up his wife.
 6 Q Okay.
 7 A And we switched cars.
 8 Q Moving from your car to another of
 9 Mr. Kennedy's cars?
 10 A Correct.
 11 Q And then what happened?
 12 A The three of us drove to Mr. Foster's
 13 house.
 14 Q And up until the time that the three of you
 15 arrived at Mr. Foster's house, had there been any
 16 discussion at all about the contents of Mr. Foster's
 17 office?
 18 A None.
 19 Q Did you or Mr. Kennedy or you and anyone
 20 else discuss whether or not there had been a suicide
 21 note?
 22 A I don't know when that came up. It came up

54

1 sometime during the course of the evening, but I
 2 don't recall. I think it was later, actually.
 3 Q What -- putting aside for the moment the
 4 fact that you can't specifically recall when it came
 5 up on that evening, what do you recall being
 6 discussed about a suicide note?
 7 A The way I remember it is that Ms. Patsy
 8 Thomasson arrived later in what I thought was a White
 9 House car.
 10 Q Arrived where?
 11 A At the Foster home.
 12 Q Okay.
 13 A And shortly thereafter I seem to remember
 14 hearing some people say that they hadn't found a
 15 note.
 16 Q What time do you think Ms. Thomasson
 17 arrived at the Foster home?
 18 A I can't say. It was after our arrival.
 19 Q What time did you arrive?
 20 A I don't recall specifically. I think it
 21 was around 10:30, 11:00; 10:30 to 11:00. I don't
 22 recall specifically what time.

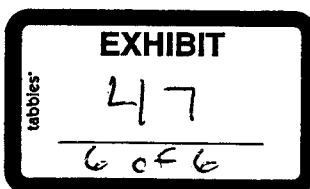




Z 000463

- 5-6 pm Appx. Time of Death
(according to Commander Robert H. Hines, US Park Police)
- 6 Citizen (unknown) calls Fairfax Fire/Rescue
- 6:04 Fairfax Fire/Rescue calls US Park Police
(because it is Park land)
- 6:15 Park Police arrive at scene
- 7:40 Medical Examiner arrives on scene
- 8:00 (9:00) Body Moved to Fairfax Hospital
- 8:30 USSS notified by Park Police
- 8:45 USSS notifies David Watkins
Watkins notifies ?
- 9:00 USSS notifies Craig Livingstone
- 9:09 Livingstone notifies COS
- 9:10 LIVINGSTONE NOTIFIES D. Kennedy
proceeds to Fairfax Hospital
- 9:30 LIVINGSTONE/KENNEDY MEET AT
FAIRFAX Hospital notify W/H arrival
- 9:45 LIVINGSTONE/KENNEDY identify body
- 9:58 LIVINGSTONE/KENNEDY notify COS
of positive ID

Craig R. [Signature]
7/23/23



000191

**DEPOSITION OF THOMAS E. CASTLETON
IN RE: S. RES. 120**

TUESDAY, JUNE 27, 1995

**U.S. SENATE,
COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS,
SPECIAL COMMITTEE TO INVESTIGATE WHITEWATER
DEVELOPMENT CORPORATION AND RELATED MATTERS,
Washington, DC.**

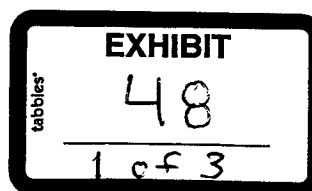
Deposition of THOMAS E. CASTLETON, called for examination pursuant to notice of deposition, at 2:35 p.m. in Room 640-A of the Hart Senate Office Building, before BRENDA M. SMONSKEY, a Notary Public within and for the District of Columbia, when were present:

MICHAEL CHERTOFF, Esq.
Majority Special Counsel
NEAL E. KRAVITZ, Esq.
Minority Principal Deputy Special Counsel
THOMAS B. GRIFFITH, Esq.
Deputy Senate Legal Counsel
U.S. Senate
Committee on Banking, Housing, and Urban Affairs
534 Dirksen Building
Washington, DC 20510
On behalf of the Committee.

K. CHRIS TODD, Esq.
DAVID FIELDER, Esq.
Kellogg, Huber, Hansen, Todd & Evans, P.L.L.C.
1300 Eye Street, NW
Suite 500 East
Washington, DC 20005
On behalf of the Deponent.

ALSO PRESENT: TIMOTHY P. MITCHELL

(1135)



000192

1 Q When you say it was the reverse, what would
2 you do?

3 A Well, you would call -- I think really it
4 didn't matter whether you called before or after.
5 So, in other words, you would flip the switch in the
6 other direction. You would call and say that you
7 were sealing the office and give your name, and that
8 would be enough. And you would lock the door, of
9 course, to the outside.

10 Q During the period you were there, from
11 mid-June to the end of July 1993, who was generally
12 the last person to leave the suite at night?

13 A Generally speaking, it was Bernie
14 Nussbaum.

15 Q When would you usually leave?

16 A Sometime between 7:00 and 9:00, but it
17 really could fluctuate. It generally didn't
18 fluctuate on the earlier side. It could run over
19 9:00.

20 Q At the time that you left, who was usually
21 left in the suite?

22 A Usually it was Bernie and possibly Betsy

1 Pond.

2 Q When did Mr. Foster generally leave?

3 A He left between 7:00 and 9:00, generally
4 speaking, earlier than Mr. Nussbaum.

5 Q Who was generally the first person in the
6 suite?

7 A I believe it was Bernie.

8 Q And when did you usually come in?

9 A Between 8:00 and 9:00.

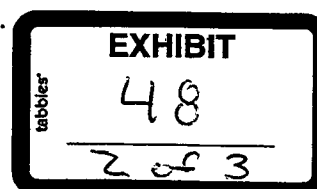
10 Q Were there during the period June and July
11 1993 people other than those who were part of the
12 counsel's office who were regular visitors to the
13 counsel's suite in the west wing?

14 A Yes.

15 Q Who were those people?

16 A I would say they would be the people who
17 worked in the policy offices in the west wing, Howard
18 Pastor from legislative affairs, Marsha Scott. I
19 believe she was in presidential correspondence at
20 that point. Craig Livingstone from the security
21 office. Maybe Alexis Herman at some point.

22 Q Who was she?



1 A I believe she was the head of the office of
2 cabinet affairs. I would say that those were
3 probably the people who had the most frequency in
4 terms of --

5 Q What was Mr. Livingstone's business at the
6 counsel's office?

7 A Well, I think that he worked for us. He
8 was the director of security and the counsel's
9 office, I believe, serves as an umbrella to that
10 office.

11 Q He had a reporting relationship to
12 Mr. Nussbaum?

13 A Yes, although I think that he more directly
14 reported to Mr. Kennedy.

15 Q Was Mr. Kennedy the person in the counsel's
16 office who had the security portfolio?

17 MR. TODD: Objection to the form. If you
18 understand "security portfolio."

19 BY MR. CHERTOFF:

20 Q The responsibility for security matters.

21 A He supervised Mr. Livingstone. In that
22 capacity, that was my understanding, that insofar as

1 he supervised Mr. Livingstone, that that was part of
2 his assignment.

3 Q Where was Mr. Kennedy's office physically
4 located?

5 A In the Old Executive Office Building.

6 Q Do you remember, between June 16th and
7 until the day before Mr. Foster's death, ever meeting
8 Maggie Williams?

9 A I don't have a specific recollection of
10 when I first met Maggie Williams.

11 Q During that period of time before
12 Mr. Foster's death, did you see her in the counsel's
13 office?

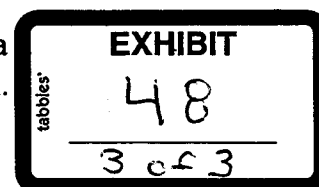
14 A I don't specifically remember.

15 Q Did you see Patsy Thomasson in the
16 counsel's office between the time of you joining the
17 counsel's office and the day before Mr. Foster's
18 death?

19 A I don't specifically remember that either.

20 Q Do you have any recollection of it?

21 A No. I mean, I could say generally I have a
22 feeling as to whether or not she might have gone in.



CONFIDENTIAL

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 4/21/94

John S. Skyles, Officer, Uniform Division, United States Secret Service (USSS) was interviewed in the Office of the Special Counsel, 1001 Pennsylvania Avenue, NW. Officer Skyles was advised as to the identity of the interviewing agent and of the nature of the interview. He then provided the following information:

His office is located at 1310 L Street NW and his telephone number is 202-395-2020. He has been employed by USSS for 19 years, the last 6 of which have been at The White House compound. He is normally assigned to USSS guard post "E-4" (west lobby) which is located at the first floor front entrance to the west wing of The White House. He was so employed on July 20, 1993, the day of Vincent Foster, Jr.'s death.

Officer Skyles stated that he first learned of Vincent Foster's death through a late evening television news broadcast on July 20, 1993. He stated that he had not known Vincent Foster either professionally or personally but that he knew Foster to be a White House staffer, knew his title, and easily recognized him when he saw him on The White House compound. He explained that he easily recognized Foster because he had seen him enter and exit The White House west wing on numerous occasions when he (Skyles) was on duty.

On July 20, 1993, Officer Skyles worked the 6:30 am through 3:00 pm shift at post E-4. He described this as a rather routine day about which he could recall noticing nothing out of the ordinary. He advised that numerous White House staffers came and went through post E-4 on July 20 but that he could recall few specifics about these individuals. He advised, however, when he learned of Vincent Foster's death late on the evening of July 20, he remembered that he had seen Foster leaving the west wing of The White House through entrance E-4 earlier that day. Skyles said that he was approximately two thirds of the way through his shift on July 20 when he saw Foster leaving The White House. He said that while he cannot recall exactly when he saw Foster, he does distinctly recall that it was "about lunchtime". He said

Investigation on 4/20/94 at Washington, D.C. File # 29D-LR-35063 SUB A

OIC 000169

by _____ Date dictated 4/21/94

000195

1547

CONFIDENTIAL

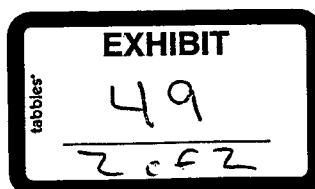
FD-302a (Rev. 11-15-83)

29D-LR-35063 SUB A

Continuation of FD-302 of John S. Skyles . On 4/20/93 . Page 2

that as Foster walked pass the guard desk at entrance E-4 he (Skyles) asked Foster, "How are you doing sir"? He said that Foster replied, "Hello-fine" and nodded his head to Skyles with what Skyles remembers as a "half smile". Officer Skyles said that he remembers this encounter in detail because when he heard that Foster had died via suicide he distinctly recalled that Foster did not appear to be at all depressed or preoccupied as he walked by. He said that he was therefore quite surprised to hear that Foster had committed suicide. Officer Skyles said, to the best of his recollection, that Foster was wearing a gray suit when he saw him on July 20. He said that he could not recall if Foster was wearing his suit jacket or not and that he does not recall Foster carrying anything in his hands such as a briefcase. Officer Skyles stated that this was the last time that he saw Vincent Foster.

Officer Skyles said that he worked the 6:30 am to 3:00 pm shift on post E-4 on July 21, 1993. He said that this was a rather routine, ordinary shift except that he overheard parts of several conversations between White House staff members that day about Vincent Foster's death, their grief, and their disbelief that he could be dead. He said that he can not recall, however, any specifics as to who was engaged in these conversations or exactly what was being said.



OIC 000170

000196

**DEPOSITION OF DENNIS M. CONDON
IN RE: S. RES. 120**

WEDNESDAY, JUNE 28, 1995

**U.S. SENATE,
COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS,
SPECIAL COMMITTEE TO INVESTIGATE WHITEWATER
DEVELOPMENT CORPORATION AND RELATED MATTERS,
Washington, DC.**

Deposition of DENNIS M. CONDON, called for examination pursuant to notice of deposition, at 1:40 p.m. in Room 640-A of the Hart Senate Office Building, before JULIE BAKER, a Notary Public within and for the District of Columbia, when were present:

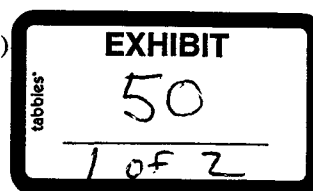
MICHAEL CHERTOFF, Esq.
Majority Special Counsel
LANCE COLE, Esq.
Minority Deputy Special Counsel
U.S. Senate
Committee on Banking, Housing, and Urban Affairs
534 Dirksen Building
Washington, DC 20510
On behalf of the Committee.

PAUL J. FISHMAN, Esq.
U.S. Department of Justice
Room 4222
Tenth Street & Constitution Avenue, NW
Washington, DC 20534

and
ANDREA M. SIMONTON, Esq.
Deputy General Counsel
Federal Bureau of Investigation
Tenth Street & Pennsylvania Avenue, NW
Washington, DC 20535
On behalf of the Deponent.

**ALSO PRESENT: CHARLES J. SGRO
TASHIA URLAND**

(1427)



000197

1 Q What happened when you arrived at the White
2 House gate?

3 A We were admitted to the grounds and we went
4 to -- we ultimately wound up inside, I believe, it
5 was the west wing of the White House.

6 Q Did someone escort you in?

7 A I believe somebody did.

8 Q Do you remember who that was?

9 A I do not.

10 Q At what point did Agent Danna meet you?

11 A I believe we met with him almost
12 immediately upon our arrival.

13 Q Were you taken directly into the building,
14 or did you wait for a period of time at the gate?

15 A I don't recall. We may have waited -- if
16 we did wait, I can tell you it was only very briefly,
17 just to be admitted.

18 Q Where did you go inside the building?

19 A We went to -- I went into the west wing, I
20 believe it is, of the White House, and I think that I
21 may also have gone into the Old Executive Office
22 Building briefly.

1 Q Would that have been before you went to the
2 gate of the White House itself?

3 A I believe so, before I went into the west
4 wing, yes.

5 Q So you would have entered the compound
6 through the southwest gate; correct?

7 A That's correct, I believe, yes.

8 Q And then you went into the Old Executive
9 Office Building?

10 A I believe that's correct.

11 Q Where did you go there, what office in
12 particular?

13 A I don't recall.

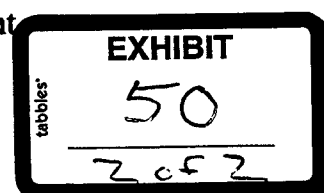
14 Q Do you know why you went there?

15 A I don't recall exactly, no.

16 Q Did you meet anybody there?

17 A I believe so, but I don't know -- I don't
18 recall exactly who that might have been, possibly
19 somebody from the Secret Service, but I'm not
20 certain.

21 Q And then where did you go when you went
22 back to the west wing, what office?



In The Matter Of:

**IN REGARDS TO DISCOVERY OF VINCE FOSTER'S
BODY ON JULY 20, 1993**

**July 28, 1994
CONFIDENTIAL**

**BLOCK COURT REPORTING SERVICES, INC.
REPORTERS FOR THE ASSOCIATION OF
TRIAL LAWYERS OF AMERICA
733 FIFTEENTH STREET, NORTHWEST - SUITE 420
WASHINGTON, DC 20005
(202) 638-1313 FAX: (202) 638-3740**

Original File 6948d.ppt, 50 Pages

EXHIBIT

51

1 of 8

Word Index included with this Min-U-Script

000199

IN REGARDS TO DISCOVERY OF VINCE FOSTER'S
BODY ON JULY 20, 1993

CONFIDENTIAL

July 20, 1993

STATEMENT FOR THE RECORD
UNDER OATH
OF CONFIDENTIAL WITNESS C.W.
IN REGARD TO
DISCOVERY OF VINCE FOSTER'S
BODY ON JULY 20, 1993

Date taken: July 28, 1994

Time: 8:00 p.m.

APPEARANCES

Congressman Dan Burton
Congressman Dana Rohrabacher
Congressman John Mica
House Government Operations Committee
Committee of Jurisdiction

Page 1

maximum above his face. (21) my face
from his.

(22) CONGRESSMAN ROHRBACHER:
You were directly

Page 4

(1) above him?

(2) CW: Directly above him looking
straight (3) down the body. The man's
head was facing straight up. (4) If it was
tilted it was tilted very slightly because
I (5) looked into both eyes. I was ques-
tioned numerous (6) times by the agents
about are you sure the head wasn't (7)
tilted and I kept telling, no, I looked
straight down (8) into both eyes. Do you
want me to go on and explain (9) what I
saw?

(10) CONGRESSMAN BURTON: Yeah.
Go ahead. Tell (11) us what you saw.

(12) CW: I saw blood traces on his nose
and (13) around his lips. There was not
streams of blood on (14) the side of his
face. There was not trickles of blood (15)
as indicated in the Foster report. I was
looking (16) straight down into the man's
face and saw the blood. (17) That's when
I said to myself, hey, did somebody shoot
(18) this man? I didn't see any signs of a
gunshot on his (19) shirt or clothes. I
looked to see if he had anything (20) in
his hands and that's when I saw his
hands both (21) palms up.

(22) CONGRESSMAN MICA: Was there a
gun in the

Page 5

(1) hands?

(2) CW: There was no gun in his hand.
His — (3) both palms were face up,
thumbs out to the side.

(4) CONGRESSMAN MICA: You did not
see a gun?

(5) CW: I did not see a gun next to the
body.

(6) CONGRESSMAN MICA: Or, and you
don't recall (7) a gun any place close to
him?

(8) CW: The foliage around him was
dense, very (9) dense, because I was
standing approximately 20 feet (10) from
him, relieving myself.

(11) CONGRESSMAN MICA: Did you
touch the body? (12) Or did you shake
him?

(13) CW: Oh, God no. I wouldn't touch
him for (14) no amount. I mean, no way
would I disturb any (15) evidence, period.

(16) CONGRESSMAN BURTON: What
you are saying is (17) you were 20 feet
from the body when you were relieving
(18) yourself?

(19) CW: When I was relieving myself
and caught (20) a glimpse of something

(22) CONGRESSMAN BURTON: I want
you to look at

Page 6

(1) this picture because you say you saw
no gun in the (2) hands.

(3) CW: I also, when I saw nothing in his
(4) hands, I leaned to both sides of his
head and to the (5) back of his head to
see if he had been hit in the head (6) and
saw nothing visible.

(7) CONGRESSMAN MICA: Did you look
at his (8) hands again?

(9) CW: I did not look back at his hands
again (10) because I clearly saw his hands
were empty and he had (11) no signs that
he had, was defending himself or (12)
something. You know, you don't know
You see (13) somebody laying there dead.
you go what happened here. (14) did
somebody shoot him? No signs of it. Was
he in a (15) fight? Was he hit in the head?

(16) CONGRESSMAN BURTON: Now,
you said — what (17) did you see beside
the body?

(18) CW: There was a wine cooler bottle
laying (19) I would say 24 to 30 inches to
the right, between his (20) shoulder and
his elbow, laying on the berm, held up
by (21) some twigs, not on the berm but
on the down-side of (22) the hill being
held up by some twigs because it's a

Page 7

(1) very steep grade.

(2) CONGRESSMAN BURTON: Was it sit-
ting (3) straight up or just laying on its
side?

(4) CW: Laying sideways, still probably (5)
one-fourth of its contents in the bottle.

(6) CONGRESSMAN BURTON: Did you
see anything (7) that looked like glasses
anywhere?

(8) CW: No, I didn't. From what I read in
the (9) report the glasses were at the
bottom of the hill.

(10) CONGRESSMAN BURTON: Take a
look.

(11) CW: That looks like glasses right
there.

(12) CONGRESSMAN ROHRBACHER:
Did you see that?

(13) CW: No, I did not.

(14) CONGRESSMAN MICA: Did you see
— you said (15) the palms were out?

(16) CW: The palms were face up.

(17) CONGRESSMAN MICA: Both? Both
palms?

(18) CW: Right beside him neatly. Jus-
like (19) that

(20) CONGRESSMAN MICA: So that the
were not in (21) this position?

(22) CW: It was not in that position at

Page

000200

(1) CW,

(2) having been first duly sworn by (3)
ROBERT M. JAKUPCIAK, a Notary Pub-
lic (4) within and for the State of Virginia,
(5) was examined and testified as (6) fol-
lows:

(7) CONGRESSMAN BURTON: Okay.
Why don't you (8) read that into the
record.

(9) CW: Rereading the statement given
on (10) 7/21/94 to Dan Burton as follows:
Involving the (11) statement about the
gun in Vince Foster's hand, I made (12) it
very clear that the palms of his hands
were facing (13) up and at his sides. The
agents investigating stated (14) that the
gun was hooked on his thumb and par-
tially (15) obscured by the back of his
hand. Based on their (16) explanation of
how the gun was being held, I conceded
(17) that all that was visible — that if all
that was (18) visible was the trigger guard
on his thumb, and the (19) dense foliage
that I could have missed seeing it. I (20)
again stated that I saw both of the man's
palms, but (21) did not count his fingers.
After having seen the

Page 3

(1) photo of the hand and the gun I'm
sure the hand had (2) been moved be-
cause the palms were both face up
when I (3) saw Mr. Foster's body.

(4) CONGRESSMAN BURTON: Okay.
Very good. Do (5) you want to ask any
questions or do you want me to (6) start?

(7) CONGRESSMAN MICA: You can
start.

(8) CONGRESSMAN BURTON: Now,
one of the things (9) that Mr. Fiske said in
his report was that you saw the (10) body
from the berm but it does not tell how
close you (11) were to the body. Would
you tell us how close you (12) were to the
body and how close you got to his face,
(13) his hands and everything else?

(14) CS: I stood directly over the top of
his (15) head at the head of the berm. My
right foot, I'm sure (16) that it was my
right foot, was somewhere between 24
to (17) 30 inches from the top of his head.
No closer. At (18) that point, leaning over
with my left foot extended up behind

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you asked the FBI what. (51) about the picture, and the head?

(54) CW: Numerous times.

(55) CONGRESSMAN BURTON: What did you ask them (64) about the head and —

(71) CW: If you will show me the picture of the (81) head and the picture of his hands that you said there (91) was no gun in — that I said there was no gun in and (104) you said there was, then I could tell you point blank (111) if somebody had tampered with it, with Mr. Foster's (121) body.

(131) CONGRESSMAN BURTON: What did they say when (141) you asked to see the pictures?

(154) CW: Well, it will jeopardize our (164) investigation, I can not show it to you at this time. (171) We will be more than glad to show it to you when all (181) this investigation is over and that was the common (191) answer I got from them every time.

(204) CONGRESSMAN: Over how long a period of (211) time — how many times did they say that to you?

(224) CW: Four, five times I directly and

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(11) inquired, let me see the picture.

(21) CONGRESSMAN MICA: You have never seen this (31) picture before?

(41) CW: I had never seen that picture until (51) the congressman handed it to me. Mr. Liddy had told (61) me that that picture had been published somewhere but (71) I had never saw it or I would have probably been — (81) know I would have been screaming.

(91) CONGRESSMAN MICA: Do you think that's a (101) picture of what you saw?

(111) CW: That is not a picture of what I saw. (121) The man's palms were straight up.

(131) CONGRESSMAN ROHRBACHER: Okay. Let me ask (141) you this. You came to the point that your head was (151) right about here over the head of Mr. Foster.

(164) CW: He was on the down-side of the hill. (171) His head was about that far below the top of the berm.

(181) (Indicating) Let me show you exactly. Move the chair (191) for a second. If your foot was his head, my foot was (201) about right here and I leaned just like that.

(211) CONGRESSMAN ROHRBACHER: Into his face?

(224) CW: And looked right down into his eyes.

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(111) CONGRESSMAN BURTON: So you were no more (121) than two feet, three feet above his —

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(131) CW: I would say two to three feet — I had (141) said 2 1/2 to 30 inches my face was from his face.

(151) CONGRESSMAN ROHRBACHER: Then you looked (161) to both sides as you were looking down? You looked to (171) both sides to see his both palms were up?

(181) CW: When I saw the blood stains my first (191) reaction was did somebody kill this man? I looked and (201) saw no signs of any stab wound or gunshot on his (211) clothes. His clothes were very tight. There was a (221) stain here, just about like that.

(231) CONGRESSMAN ROHRBACHER: What color?

(244) CONGRESSMAN MICA: You are pointing to your (251) shoulder?

(264) CW: On his right shoulder, it was a — (271) the stain on his shoulder was —

(281) CONGRESSMAN ROHRBACHER: Was it red? Or (291) was it blood?

(304) CW: No, it was very light purple, almost (311) identical color of the wine cooler.

(324) CONGRESSMAN BURTON: So you don't think it

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(11) was blood.

(21) CW: I do not think it was blood. In the (31) very center of — it looked like he had thrown up on (41) his right shoulder. In the very center there was one (51) small spec area, probably no larger than a silver (61) dollar that was black, that could have been blood in (71) the very center of it.

(81) CONGRESSMAN BURTON: Okay.

(91) CW: No more than that. It's possible that (101) could have been but it was very — it looked like (111) residue from having thrown up on his shoulder.

(121) CONGRESSMAN ROHRBACHER: Now, let's take a (131) look at this picture again, in which you see some (141) things here and you see the gun here. This does look (151) like a pair of glasses. It may not be.

(164) CW: It looks like it could be but it looks (171) like a twig more.

(181) CONGRESSMAN MICA: You don't remember (191) seeing that?

(204) CW: No, I did not see — the man's hands (211) were against his leg.

(224) CONGRESSMAN MICA: This shows foliage to

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(11) the left of the hand and underneath the hand. Is this (21) similar to the dense foliage that was there?

(31) CW: It was very, very dense and that's how (41) dense it was. You could start to see how dense it (51) was. Did you see those woods back there?

(61) CONGRESSMAN BURTON: Can we stop one (71) minute? Can we stop one minute?

(81) CW: Yes, sir.

(91) CONGRESSMAN BURTON: Can you stop for a (101) second? I don't want to go off the record. I just (111) want to stop for a minute because I want him to go — (121) can you unload your 38 and bring it in here for a (131) minute?

(144) CW: It's not a 38, it's a 22.

(151) CONGRESSMAN BURTON: Can you unload your 22 (161) and bring it in here and let me take a look at it? I (171) want you to unload it.

(181) CW: I wouldn't bring it in otherwise.

(191) CONGRESSMAN BURTON: Okay. The reason I'm (201) asking him to do that. I want to show you the gun in (211) the position of the hand and if the palms were up what (221) it would look like. I wanted you to see that.

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(111) CONGRESSMAN MICA: You would have to see (121) the gun.

(131) CONGRESSMAN BURTON: Well, the gun — you (141) can see here the thumb is through the trigger guard (151) like that. You can see it. I'm going to put my thumb (161) through it and if the palms were up I want you to see (171) how the gun would look. It's empty?

(181) CW: It's empty.

(191) CONGRESSMAN BURTON: Okay. Let's take a (201) quick look here. Now, this is the way it is, see?

(211) CW: Exactly like that.

(221) CONGRESSMAN BURTON: Do you see that? Do (231) you see this? Take a good look. I want you to see. (241) You see the picture? You see how I have got my thumb (251) in there?

(264) CONGRESSMAN MICA: And you think it's (271) impose —

(281) CONGRESSMAN BURTON: No. Wait a minute. (291) You see this? If the palm is up what do you have?

(304) CW: All right. The way he explained it to (311) me it was like that and I would have missed the gun (321) with the foliage. The reason that I conceded to the

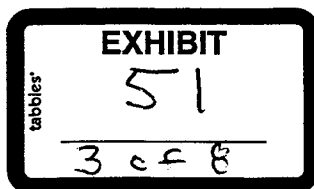
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(11) men, based on what they were telling me — this is not (21) what they told me because the man stood almost exactly (31) where you are standing, one of the agents, and said (41) just like this, but all you would have seen, but all (51) you would have seen, and he repeated, would have been (61) just the trigger guard and the rest of the gun would (71) have been obscured.

(81) CONGRESSMAN MICA: You didn't touch the (91) body at all?

Min-U-Scripto

BLOCK COURT REPORTING



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CONFIDENTIAL

BODY ON JULY 20, 1993

(19) CONGRESSMAN MICA: Which way was his head? (20) Was his head down the hill or up?

(21) CW: Up the top of the hill. His head was (22) at the top of the hill.

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(1) CONGRESSMAN MICA: So he went down in this, (2) this slope or ravine and shot himself?

(3) CONGRESSMAN BURTON: It's a little slope.

(4) CW: Let me show you. This is an (5) elevation. You have the flat area with the cannon (6) sitting there. Okay. There is a berm right here like (7) this. There was probably six to 12 inches high berm (8) after years of erosion that at one time would probably (9) have been much higher. The bank comes down, I would (10) guesstimate 20 feet or better, down — I'm going to (11) have to expand on this. And then there is a ditch (12) here, a berm here and this is all dense wooded area (13) with a walking path right out here. The man's body (14) was laying approximately like this.

(15) CONGRESSMAN BURTON: So the head was right (16) at the top almost?

(17) CW: Yep. Just below the top of the berm. (18) If I was standing right here I would not see him, (19) standing right there. The angle would have been just (20) enough that I would not have seen him. It wasn't (21) until I got around here that I saw something down over (22) the edge of the berm.

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(1) CONGRESSMAN BURTON: Okay. Now, tell us (2) about the cabin real quickly. You said you knew the (3) guy that owned that cabin years ago?

(4) CW: I knew a retired navy commander who (5) lives in that project. He was going to set me up with (6) the owner so I could talk to him about possibly (7) purchasing this. Being in construction —

(8) CONGRESSMAN BURTON: But there is a private (9) road that goes back to that cabin?

(10) CW: There is a private road that goes (11) right back to it from the housing development right (12) next to it.

(13) CONGRESSMAN BURTON: Okay. If somebody (14) came back that road they wouldn't be seen?

(15) CW: They would not be seen, period.

(16) CONGRESSMAN BURTON: How far is that from (17) the cabin?

(18) CW: 150, 175 yards.

(19) CONGRESSMAN BURTON: So they could have (20) walked around that and come right up —

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(21) CW: They are dead in the woods all the (22) way, and there is a path that leads right straight

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(1) through there, a very well worn walking nature trail.

(2) CONGRESSMAN ROHRBACHER: What time did you (3) do this again? Excuse me, I forgot.

(4) CW: It was almost 6 o'clock.

(5) CONGRESSMAN ROHRBACHER: In the afternoon?

(6) CW: Yes.

(7) CONGRESSMAN MICA: Now, you found the body (8) and you realized he was — you thought he was dead?

(9) CW: Well, there was no doubt he was dead. (10) His eyes were about two-thirds closed and glazed very, (11) very white.

(12) CONGRESSMAN MICA: Did you yell for help?

(13) CW: Oh, God no. That doesn't bother me.

(14) CONGRESSMAN MICA: But what did you do?

(15) CW: I immediately went back to my van, (16) went to go to the nearest phone, and call the police to (17) tell them there was a body there.

(18) CONGRESSMAN BURTON: But you didn't call (19) the police.

(20) CW: I went, got in my van, started up the (21) parkway because I was on the parkway, I got up to (22) where the park headquarters are, about two, two and a

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(1) half miles, maybe a little further up the road, the (2) right-hand side. There is a little phone sign right (3) there. I pulled in, there was a couple of vehicles (4) on the left. I had never been in there before. There is (5) two phones there. I never saw them because I saw the (6) guys there, the phones sit back behind the trees over (7) here on the right side. I saw the guys there. I was (8) looking at them, drove by, still didn't see any (9) phones, looked both ways but apparently drove right by (10) the phones and never saw them, backed up, turned (11) around, started back out, was going to ask them to use (12) the phone, motioned for them to come over. The (13) younger white man walked over. I asked him for a (14) phone. He stated that, you know, why? And I says, (15) well, it's an emergency, I need to use the phone. Can (16) you get me to a phone? Yes, but why? And he says — (17) I think he said it the third time. At that point I (18) went, wait a minute. Fine. Are you familiar with (19) Fort Marcy? Oh, yeah, I know it well. Do you know (20) where the two cannons are? Oh, yes, I know it well. (21) Do you know the one up on the hill to the right? Oh, (22) Yeah.

The next Chain Bridge Road now. Not the one on

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(1) the left up there, the one on the right all the way up (2) on top. Oh, yeah, I know it well. I says, right (3) beside it, down over the bank is a dead man. You call (4) the police and tell them. Oh, sure, great. I don't (5) need the headaches that go with possibilities of going (6) to courts and hearings and crap that all I done was (7) come onto a body. That's all. Hey, I done my duty, (8) I'm gone. He went to call the police, I simply drove (9) off. And I stayed quiet for approximately six months.

(10) CONGRESSMAN BURTON: Now, you told some of (11) your colleagues about the body?

(12) CW: Here is the — that happened that (13) night. The next morning, on the project I have got (14) five, six, maybe seven foremen from the project in my (15) trailer and they were all complaining and bitching (16) about the heat and the traffic. There was wrecks all (17) over the place that afternoon and they were all airing (18) their grievances about the trip home. So finally I (19) said you fellows don't no what grievances are. Here (20) is mine. So I told them what happened. About an hour (21) later my brother comes over and says, do you know who (22) that was and I went holy Christ. At this point, I had

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(1) probably a hundred men on that job and you know not (2) one sole — they kept me quite and I love it.

(3) CONGRESSMAN BURTON: They kept your (4) confidence. Now, you were coming back from Africa, (5) you went to Kenya. Tell them about coming back from (6) Africa and how you decided to call Gordon Liddy.

(7) CW: When I got back from Africa I was (8) reading — the London Times was eating that story up (9) and I was sitting in the hotel reading it.

(10) CONGRESSMAN BURTON: This was what month?

(11) CW: This was in April. Yeah. It was, I (12) believe it was in April. It was either April or May. (13) Hun, when was I in Africa?

(14) MRS. CW: I don't know. I didn't go. You (15) left me home, remember?

(16) CONGRESSMAN BURTON: Okay. Go ahead.

(17) CW: And it's when I got back, my brother (18) came over and told me, says you hear the story that (19) the New York Times printed about the two park rangers (20) have changed their story and stated that they had made (21) up the story about the guy in the white van, that

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they (22) had snuck off down to the park to have a drink and

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(1) discovered the body and to cover themselves they made (2) this story and at that point I went wait a minute. (3) Who in the world can put that kind of pressure on two (4) career employees to make them tell that kind of (5) garbage? I better cover my hind quarters. So I was (6) thinking about what to do and my brother had been (7) listening a lot to Liddy and I have also respected (8) Liddy for his word. Any man that — you know his (9) background. And he was really hammering on the (10) evidence, you know, that was being presented about the (11) Foster case and the doubts.

(12) CONGRESSMAN ROHRABACHER: Had you ever met (13) Liddy before that?
(14) CW: I had never met Mr. Liddy before that. (15) So after some thought I thought that —

(16) CONGRESSMAN ROHRABACHER: Had your brother (17) met Liddy before that?

(18) CW: No. No one. None of us knew him at (19) all.

(20) CONGRESSMAN ROHRABACHER: Okay.

(21) CW: But having read about him, I decided (22) that would be as good a — what I knew would become

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(1) public and if there was a threat to me, that, that (2) possibility of danger would be greatly, greatly (3) reduced simply by the fact that what I knew would have (4) been now made official.

(5) CONGRESSMAN BURTON: So you called Liddy (6) because you wanted to get the facts out number one and (7) number two you thought you would be safer if the facts (8) were?

(9) CW: Exactly right.

(10) CONGRESSMAN BURTON: And he would keep your (11) confidence?

(12) CW: Just like you gentlemen and he has (13) kept his word one hundred percent and God knows I (14) expect it.

(15) CONGRESSMAN BURTON: Okay. Do you guys (16) have any other questions?

(17) CONGRESSMAN ROHRABACHER: Did you see any (18) evidence of any other people there that we haven't (19) talked about?

(20) CW: There was two cars in the parking lot. (21) It's a very quiet little park.

(22) CONGRESSMAN MICA: Were there any people in

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(1) the cars?

(2) CW: None. This is why I went as far up as (3) I did, before finding a place to

relieve myself. (4) because I know the park and know it well and I know (5) where the picnic tables, et cetera, are in the (6) park and if there would be someone that would be in (7) the park enjoying it. I checked those three places, (8) to — actually the fourth place was the cannon on top (9) where — that's where I stepped over the berm and saw (10) him.

(11) CONGRESSMAN BURTON: Okay. Anything else?

(12) CONGRESSMAN ROHRABACHER: There wasn't any (13) — foliage didn't seem to be — did it seem like (14) somebody dragged him up there?

(15) CW: Now, I did not read anything in this (16) report and this has been stated numerous times. Below (17) this man's feet, all the way down into the bottom of (18) the ditch, approximately ten feet or better, up the (19) berm on the other side, over the hill to the walking (20) trail, everything had been trampled completely flat (21) like the man had walked back and forth at least a (22) dozen times or better. It was, at least 24, maybe 30

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(1) inches wide that everything was trampled completely (2) flat. Every twig, every leaf.

(3) CONGRESSMAN BURTON: Let me get this (4) straight. You are saying that there was a path almost (5) from the bottom of his body down into the bottom, up (6) over this other hill?

(7) CW: And out to the walking trail on the (8) other side. As I showed you here, from here, down and (9) out over that hill. This is, this was very, very (10) dense.

(11) CONGRESSMAN BURTON: And it was flattened (12) out?

(13) CW: It was walked completely flat. The (14) agents had known about this and known about this. (15) Nothing in that report. I don't know. I don't know. (16) Did it disappear or what happened?

(17) CONGRESSMAN ROHRABACHER: Your analysis —

(18) CONGRESSMAN BURTON: Wait a minute. This (19) is very important. You are saying that you told the (20) agents this?

(21) CW: Oh, I told them numerous times.

(22) CONGRESSMAN BURTON: That the ground was

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(1) trampled from the bottom of his feet all the way down (2) the valley and over the hill?

(3) CW: Completely flat.

(4) CONGRESSMAN BURTON: Like somebody had been (5) walking back and forth there?

(6) CW: He had paced back and forth many (7) times. At least a dozen times. You can't trample (8) down that flat.

(9) CONGRESSMAN BURTON: And they didn't put (10) that in that report?

(11) CW: Nothing in the report that I read. (12) That I have read. If you don't — read anything of (13) that nature.

(14) CONGRESSMAN ROHRABACHER: Let me ask you (15) something. Did you happen to get a glimpse on the (16) other side of that?

(17) CW: If someone was on that trail on the (18) other side you would have never seen them. The (19) foliage was that dense.

(20) CONGRESSMAN MICA: Did you tell them about (21) the trampled —

(22) CW: Absolutely.

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(1) CONGRESSMAN MICA: It doesn't appear in (2) anything —

(3) CONGRESSMAN BURTON: Not once but how many (4) times?

(5) CW: Minimum of three. Once here and (6) twice at the site with them.

(7) CONGRESSMAN BURTON: Let me finish here. (8) You went out to the site with the FBI and you told (9) them at the site where the ground was trampled and how (10) far it went?

(11) CW: Yes. I also walked them — that (12) doesn't make any sense was their statement about, why (13) would they bring him in this way. It was simple from (14) the cabin. What cabin is what their answer was. The (15) one right over there.

(16) CONGRESSMAN BURTON: So they said that (17) makes no sense, why would they there be a path here (18) like this and you said because that's where the cabin (19) and the driveway is?

(20) CW: Uh-huh. And they did not know about (21) the cabin and I walked them back there and showed it (22) to them.

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(1) CONGRESSMAN ROHRABACHER: Who is in the (2) cabin now?

(3) CW: No one. I know for eight to ten years (4) it's been vacant. It's a little teen bungalow like (5) one little bedroom. Cute as can be.

(6) CONGRESSMAN ROHRABACHER: The doors are (7) looked up?

(8) CW: Oh, it's boarded up. I don't know if (9) the thing even has indoor plumbing.

(10) CONGRESSMAN ROHRABACHER: Is it conceivable (11) that somebody could have been on that path when you (12) were relieving yourself without seeing them?

(13) CW: Absolutely. Absolutely. It was that (14) dense.

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151 CONGRESSMAN ROHRBACHER: So it's possible 116 that while you were relieving yourself that someone 117 could have been there and you might have — is it 118 conceivable that you would have not heard them, they 119 could have been walking in this area?
120 CW: Very, very conceivable.
121 CONGRESSMAN BURTON: The thing is I don't 122 want to try to lead CW in any way. I want to make

116 CW: His mouth was very slightly open and 117 full as was his nostrils, full of flies. The blood 118 was dried hard and black.
119 CONGRESSMAN BURTON: But you didn't see any 120 blood as close as you got around the head or anything 121 like that?
122 CW: None.

118 CONGRESSMAN MICA: Did you look at the cars 119 when you came back?
120 CW: As I walked down the hill, you are 121 coming off and you are parked in the parking lot. You 122 go up on either side of the parking lot to a walking

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111 sure that we don't come to any conclusions. I just 112 want to get the facts.
113 CONGRESSMAN MICA: I have another question.
114 CONGRESSMAN BURTON: Yeah.
115 CONGRESSMAN MICA: Because I was briefed 116 from our ranking member after he was briefed by Fiske 117 and these people. The head you say was uphill?
118 CW: Yeah.
119 CONGRESSMAN MICA: And the feet were down?
120 CW: Straight down the hill. Not sideways, 121 not an angle. Straight down.
122 CONGRESSMAN MICA: And you didn't see 123 any — you didn't see any evidence that someone had 124 committed suicide, any blood in, say around the grass 125 or anything behind the head?
126 CW: We had no significant rain for 30 127 days. The ground at the top of the hill in this area 128 might get a small amount of sun a day because there is 129 very high trees around that area. Anything over that 130 berm and down that berm never gets any sun; completely 131 shaded out.
132 CONGRESSMAN MICA: But around the head —

111 CONGRESSMAN ROHRBACHER: The blood you say 112 was black?
113 CW: Hard and black.
114 CONGRESSMAN MICA: Did you look at his neck 115 at all? You didn't see anything?
116 CW: I didn't see his neck because his neck 117 was below me.
118 CONGRESSMAN MICA: Okay.
119 CW: And I wasn't about to start down the 120 hill around and possibly disturb anything.
121 CONGRESSMAN MICA: And you were looking 122 from the top of his head down?
123 CW: Looking straight down from the top.
124 CONGRESSMAN BURTON: But you said you 125 weren't about to go down the hill?
126 CW: No. I wouldn't disturb anything like 127 that.
128 CONGRESSMAN ROHRBACHER: But you could 129 actually see what looked almost like a path to his 130 body?
131 CW: I'm looking straight down the body.
132 CONGRESSMAN MICA: Did you see like flies

111 area that's elevated well above the parking, up to a 112 sign with the description of the fort area and what it 113 was all about and the history. As you are walking 114 back down the hill, which I'm walking back down the hill to go 115 back to my van, as you are coming down the hill you 116 can see right down into the car and the car was parked 117 either second or third.
118 CONGRESSMAN MICA: What kind of a car was 119 it?
120 CW: White Honda and it was a light brown 121 or a cream colored Japanese made car on the other end 122 of the parking lot. On the passenger seat of the 123 white Honda was a folded jacket, very, very similar in 124 color to suit pants. The FBI tells me I have got the 125 wrong car, that was not his. They said the brown one 126 was his.
127 CONGRESSMAN ROHRBACHER: Say that again.
128 CW: The FBI said that that was not his 129 car. I thought sure that was his car because the 130 jacket was so similar to the pants he had on.
131 CONGRESSMAN BURTON: Yeah.
132 CW: In the passenger floor board was a

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111 CW: There was no — I mean I bent over and 112 looked. I didn't lay my head flat on the ground. I 113 probably lent my head down to within 16 inches of the 114 ground. No signs, not a sign of.
115 CONGRESSMAN MICA: Did you see any sign 116 from the side of the neck or the back —
117 CW: Not a sign of anything on the top or 118 the sides of the man's head were visible.
119 CONGRESSMAN MICA: And his eyes were open?
120 CW: His eyes were about one-third open, 121 one-third less than half, okay. And glazed.
122 CONGRESSMAN MICA: And you said there was 123 no blood coming out of his mouth?
124 CONGRESSMAN ROHRBACHER: Was the mouth 125 open?

111 buzzing anywhere besides the body where there might 112 have been —
113 CW: No.
114 CONGRESSMAN MICA: — some flesh, or —
115 CW: No.
116 CONGRESSMAN MICA: And no other location 117 except around the mouth and the face?
118 CW: And that one small area in the middle 119 of that stain on his shoulder. But it was, it was 120 not — when I said silver dollar, that was, making 121 sure that I had the area covered. It may have been 122 more like a quarter but it was smaller than a silver 123 dollar.
124 CONGRESSMAN MICA: When you came back and 125 turned around, was there anyone around or anyone in 126 the cars that you saw?
127 CW: Still no one in the cars.

111 four-pack wine cooler, two gone.
112 CONGRESSMAN ROHRBACHER: This was in the 113 car the FBI said did not belong?
114 CW: Was not belong. And I asked them, how 115 well did you check out those other two people that 116 were still in the park when you got there? Oh, there 117 is no doubt, they were just two lovers up there.
118 CONGRESSMAN MICA: Now, that was one car. 119 You said there was another car?
120 CW: Two cars.
121 CONGRESSMAN MICA: Two cars. Did you look 122 in the other car? One car had the jacket and the wine 123 cooler?
124 CW: The white Honda. Let me just, so you 125 will — when you come up off of BW Parkway, you come 126 up, the parking area is like this and there is a 127 little turnaround over here, just like so. Brown or 128 cream colored Nissan, white Honda. I parked right 129 here. Up here there is a sign. There is a path that

IN REGARDS TO DISCOVERY OF VINCE FOSTER'S BODY ON JULY 20, 1993

CONFIDENTIAL

July 20, 1993

(20) goes right here, with a sign here telling you and (21) there is a path that goes up the hill and around here. (22) There is a good elevation coming up here. Just past

Page 40

(1) me, here at this sign, go into the fort area here. (2) One cannon here and one cannon here and that's where (3) he was.

(4) CONGRESSMAN BURTON: But you are saying in (5) this car here you saw a jacket that looked like the (6) one that matched the pants on the body?

(7) CW: Exactly.

(8) CONGRESSMAN BURTON: And you said also that (9) you saw a wine cooler pack on the floor?

(10) CW: A four-pack wine cooler with two gone. (11) The same color as — it was — it had a light pink (12) like label.

(13) CONGRESSMAN BURTON: Okay. Did it look (14) like the bottle that you saw beside his body?

(15) CW: Exactly like the bottle.

(16) CONGRESSMAN BURTON: But that was not in (17) the report?

(18) CW: Strange thing. When I went back with (19) the agents, one of the agents spent about 15 minutes (20) licking around all through the leaves and everything (21) looking for that wine cooler bottle.

(22) CONGRESSMAN BURTON: But this was nine

Page 41

(1) months later?

(2) CW: Yes.

(3) CONGRESSMAN BURTON: Well —

(4) CONGRESSMAN ROHRBACHER: That's (5) interesting.

(6) CW: I would have thought surely —

(7) CONGRESSMAN MICA: So you went back to the (8) site with them?

(9) CW: With the two agents.

(10) CONGRESSMAN MICA: And who else have you (11) talked to?

(12) CW: Outside of what?

(13) CONGRESSMAN MICA: What investigators have (14) you talked to?

(15) CW: Mr. Liddy. This gentleman. That's (16) it.

(17) CONGRESSMAN MICA: And what about — no. (18) But you said you have talked to the Fiske (19) investigators?

(20) CONGRESSMAN BURTON: The two FBI.

(21) CW: The two FBI guys.

(22) CONGRESSMAN MICA: That's all?

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(1) CW: That's it.

(2) CONGRESSMAN BURTON: Yeah.

(3) CW: And I went to them because after (4) talking with Mr. Liddy the FBI was really asking and (5) begging and doing everything they could to get in (6) touch with me. Mr. Liddy said these are two of the (7) old Hoover guys, they are not young kids and they're (8) not trying to get a reputation or prove anything. I (9) think they can be trusted. I think you can help an (10) investigation, would you be willing to meet with them. (11) Remaining as a confidential witness with their promise (12) to do the same and they have done that absolutely.

(13) CONGRESSMAN ROHRBACHER: What are the (14) names of the two agents?

(15) CONGRESSMAN BURTON: I have got those. I (16) will give those to you.

(17) CW: I prefer you all don't have them.

(18) CONGRESSMAN BURTON: We are not going — (19) they are going to testify tomorrow before the (20) committee so their names will be known tomorrow.

(21) CW: Because they did keep their word and (22) to me that's — nobody is any better than their word.

Page 43

(1) CONGRESSMAN BURTON: CW, let me tell you (2) something. That's very important that they kept their (3) word, but it's also very important that they are (4) accurate in this report and that report does not (5) reflect what you have told us today. The palms were (6) up you say?

(7) CW: Absolutely.

(8) CONGRESSMAN MICA: How sure are you that (9) the palms were up?

(10) CW: As sure as I'm standing right here. I (11) am absolutely and totally unequivocally, the palms (12) were up. I looked at both palms. There was nothing (13) in his hands. I didn't look at one and assume the (14) other. I looked at both of them

(15) CONGRESSMAN BURTON: Okay. Any other (16) questions?

(17) CONGRESSMAN MICA: That's pretty (18) definitive.

(19) CONGRESSMAN ROHRBACHER: Did it look like (20) at all that the body had slid from a position higher (21) on the hill down a few feet?

(22) CW: His pants — his body was swelling. I

Page 44

(1) made that very clear.

(2) CONGRESSMAN ROHRBACHER: Okay.

(3) CW: The FBI says that he had been there. (4) the report says an hour, hour and a half before I (5) found him. Something like that. The body was (6) swelling, his shirt was getting tight and his pants (7) were getting tight.

(8) CONGRESSMAN MICA: Was warm?

(9) CW: Hot. Hot. But on that hill, the body (10) was still shaded.

(11) CONGRESSMAN BURTON: But you didn't see any (12) signs that the body had been sliding all over the (13) place?

(14) CW: Oh, no.

(15) CONGRESSMAN BURTON: What did it look like?

(16) CW: When I first saw it was someone there, (17) I thought — I was about half way from where I had (18) crossed the berm to him and I realized it was someone, (19) because I just saw something there. I thought it was (20) trash and I said to myself, what common SOB would (21) throw trash over the hill with a trash can right there (22) by the picnic bench with the cannon. And I just

Page 45

(1) went, and it was a little bit out of my way to go back (2) to the van, going that way, then I saw it was a body (3) and I wait a minute, somebody is asleep and I (4) started — that's a heck of a place for somebody to be (5) asleep with a bench and everything right here. That's (6) when I stepped closer and saw that he was definitely.

(7) CONGRESSMAN MICA: How long did you spend (8) over the body? Five seconds? 10 seconds?

(9) CW: Oh, no. Two minutes.

(10) CONGRESSMAN MICA: Two, three, minutes?

(11) CW: Not — that's a tough one. Because I (12) wasn't panicked. I think I was fairly deliberate in (13) studying —

(14) CONGRESSMAN MICA: The body?

(15) CW: — what was going on. I wasn't (16) studying it for any other reason than curiosity. I (17) wasn't studying it for — God knows if I knew what was (18) coming up I would have went and got a note pad and (19) went back and started writing.

(20) CONGRESSMAN MICA: Were you pretty sure (21) though that he was dead seeing the flies around his —

(22) CW: Oh, yes.

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(1) CONGRESSMAN MICA: Have you ever seen a (2) dead body?

(3) CW: Yes, I have.

(4) CONGRESSMAN BURTON: I think we have (5) covered about everything.

(6) CONGRESSMAN ROHRBACHER: Okay, listen. (7) Thank you very much, and CW —

(8) CW: Could I have a card?

(9) CONGRESSMAN BURTON: We will all give you (10) one of our cards.

July 20, 1993

IN RE: ROBERT M. JAWORSKI
CONFIDENTIAL
BODY ON JULY 20, 1993

(11) CONGRESSMAN ROHRBACHER: I didn't bring (12) one with me. I am Congressman Rohrabacher. Dana (13) Rohrabacher from California.

(14) CW: Is there a shortage of cards on the (15) hill? You gave me your last one the other day.

(16) CONGRESSMAN BURTON: We have to take care (17) of taxpayer's money. I think that pretty much (18) concludes it. We have no more questions?

(19) CONGRESSMAN MICA: No more questions.

(20) CONGRESSMAN ROHRBACHER: Okay.

(21) CONGRESSMAN BURTON: Let's just say that we (22) have all asked all the questions we are going to

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(1) tonight and this concludes the report and do you have (2) anything else you would like to say, CW?

(3) CONGRESSMAN MICA: Was there anything that (4) you have read that doesn't jibe with what you know to (5) be the facts or your understanding? Or left out?

(6) CW: Other than what we have already (7) described about the position of the gun, supposedly, (8) and as the picture indicates what I saw, that (9) discrepancy, no mention of the path below his feet, no (10) mention of the wine cooler bottle for whatever (11) significance that would have. I don't know.

(12) CONGRESSMAN BURTON: Let me ask you one (13) more question and this will be the last one.

(14) CW: Yes, sir.

(15) CONGRESSMAN BURTON: When you saw that path (16) and you saw the body what did you think? I mean the (17) path that went over the hill and down. Did you think (18) anything had happened there? What did you think (19) happened? What did it look like?

(20) CW: Well, when I started looking to see if (21) he had anything in his hands, he had been hit in the (22) head, what does that tell you? I thought maybe

Page 48

(1) somebody had done him in.

(2) CONGRESSMAN BURTON: And gone over that (3) hill and come back and forth or what?

(4) CW: And I don't know. I didn't even

(5) CONGRESSMAN MICA: Think of that at the (6) time?

(7) CW: No.

(8) CONGRESSMAN BURTON: All right. I think (9) that will wrap up our investigation and we will have (10) this report ready for presentation to whoever wants to (11) see it tomorrow morning.

that would be July the 29th. (12) This is taking place on July the 28th.

(13) CONGRESSMAN ROHRBACHER: Between 8 and (14) 8:30.

(15) CONGRESSMAN BURTON: Between 8 and 8:30 (16) p.m.

(17) CW: Gentlemen, understand one thing. I (18) will not go before any Senate and be hammered by (19) attorneys. I will not.

(20) CONGRESSMAN BURTON: I have got you.

(21) CW: You understand that?

(22) CONGRESSMAN BURTON: I think we are

Page 49

(1) finished now.

(2) (Statement was concluded at 8:30 p.m.)

Page 50

UNITED STATES OF AMERICA)

vs.

COMMONWEALTH OF VIRGINIA)

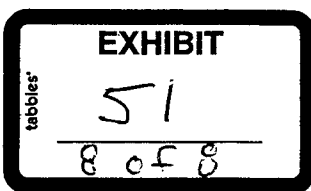
1. ROBERT M. JAWORSKI, an RPR and Notary Public within and for the State of Virginia do hereby certify:

That the witness whose statement is herebefore set forth, was duly sworn and that the within transcript is a true record of the testimony given by such witness.

I further certify that I am not related to any of the parties to this action by blood or marriage and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 1993.
My Commission Expires: _____
July 1997

BLOCK COURT REPORTING SERVICE, INC. (802) 688-1212



[John + Sally Rutherford] daughter saw
man walking thru park on Monday. thought
it was strange

[Leslie Rutherford] - 17 yoe [703] 538-0168
5810 Bent Twig Rd
McLean, VA
walking toward Jot Mary saw man
on path toward Jot Mary - he didn't look at her
at all although just a few yards away
dark slacks, white shirt and red tie 3:00pm
dark brown hair 20's-40's no brief case
no jacket or suit wasn't able to get a
good look @ face because he didn't look at her
leaving Monday @ 5:15 - Australia + New Zealand

7/24/93 11106-S

(RMA)

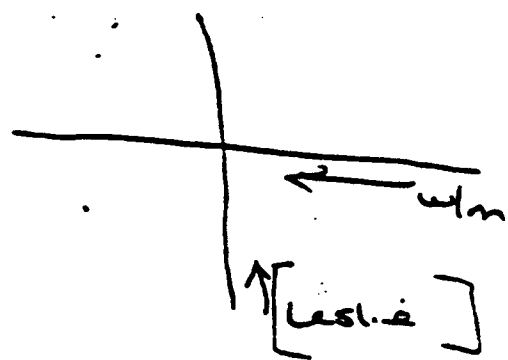


EXHIBIT
52
tabbies

1679

EXHIBIT

53

1 of 7

FD-302 (Rev. 3-10-82)

CONFIDENTIAL

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/23/94

was interviewed at her residence in the presence of her mother and both advised as to the identity of the interviewing agents and informed of the nature of the inquiry. then provided the following information.

who is presently an 18 year old student attending College, advised that at approximately 3:00 pm on July 19, 1993, she was walking in the northeast portion of Fort Marcy Park gaining entry to the park at a spot where the tennis courts of the Dogwood subdivision border on Fort Marcy Park. She related that it was an extremely hot and humid day and noticed at a distance of approximately 10 to 15 feet a white male walking by himself in a direction leading from the George Washington Memorial Parkway into the northeast section of the park. She stated what caught her attention was that this white male, in spite of the heat, was dressed in a dark suit, white shirt and a red neck tie.

further described this white male as being in his early 40's, dark hair, approximately 180 lbs. and slightly over 6 foot in height. According to this white male had no facial hair nor was he wearing eyeglasses. She further stated that when she noticed this white male, he immediately looked away from her and therefore she could furnish no additional details relative to his facial characteristics. In a further attempt to determine the height of this white male, it was Ms. opinion that he was slightly over 6 foot tall but did not approach 6 foot 4 inches in height.

stated that she had viewed various newspaper articles in which Vincent Foster's picture appeared but stated that she could not make any determination from these newspaper photographs as to whether or not the individual she saw at Fort Marcy Park was, in fact, Vincent Foster. was also exhibited photographs of Mr. Foster but she was unable to make any determination as to whether these photographs

Investigation on 5/17/94 at Mclain, Virginia File # 29D-LR-35063

by

Date dictated 5/19/94

OI 000208

CONFIDENTIAL

29D-LR-35063

Continuation of FD-302 of _____ On 5/18/94 Page 2

resembled the white male she saw at the park on July 19, 1993.

further advised that her viewing of this white male at Fort Marcy Park was extremely limited, advising also that she did not view any vehicles at Fort Marcy Park on that day and could furnish no additional identifying information regarding her observations.

EXHIBIT
53
2 of 2

• Last July 19, 1993 5:10 PM
while in the Park, off of
Chari Budge Rd -
approx 3 PM. Saw a
2 men w/m

- Age - 40's
- dark hair
- Less than 6'4" over 6'
but not 6'4"
- 180 lbs
- No facial hair / no
glasses.

wearing dark suit / white shirt -
+ knee tie - ~~extra~~ hot day

• Saw distance of
approx 15 ft - but wouldn't
look at her. - not be able to identify

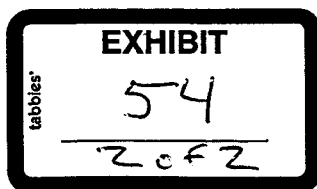
• Seen ~~ap~~ picture ~~but~~
in paper, but can't say
if was her.

• informed for later -
who notified USPP.

Location - by Caseri
by the tennis courts.



West Border of Ft
Marcey Park - on path.



000211

9D-LR-35063

continuation of FD-302 of _____, On 4/14/94, Page 2

He explained that he normally drives home using _____ to the Beltway, then to _____, to _____ into the _____. He stated that on this particular day, traffic was backed up and he decided to take an alternate route which he frequently uses, namely _____ the George Washington Memorial Parkway, proceeding _____

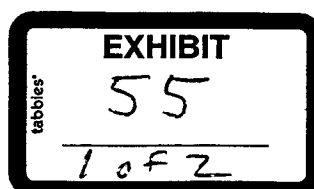
He explained that as he proceeded _____ on the GW Parkway, traffic backed up beginning right after the 14th Street Bridge and was bumper to bumper, moving at a very slow pace.

He advised that he is a heavy coffee drinker, consuming anywhere from four to six twenty-ounce cups of coffee a day; he had an urge to relieve himself and realized that the first pull-off area where he could have some degree of privacy was Fort Marcy Park. He stated that to the best of his recollection, he left the work site at _____ at approximately 4:45 p.m. and pulled into the Fort Marcy parking lot somewhere between 5:30 and 5:45 p.m. _____ stated that upon pulling into the Fort Marcy parking lot, he noticed two vehicles, both of which were unoccupied in the parking lot. He stated that the first of the two vehicles was parked to his left, at the beginning of the parking lot; and estimates that this vehicle was in the second or third parking place. He described this vehicle as a compact Japanese made sedan, color possibly light blue or tan, adding that to the best of his recollection, it was a 2-door model. He stated that although he can't be sure, he believes this vehicle was pulled front first into the parking space. _____ stated that the second vehicle was located towards the rear of the parking lot, adding that he's positive that this vehicle was backed into the parking space. He described this vehicle as a white colored Honda, 2-door sedan, with blue interior.

_____ stated that he parked his van between these two vehicles, in closer proximity to the white Honda located toward the rear of the lot. As best he recalls, he backed in. He stated it was very hot and humid and before walking up into the park, he took his shirt off and hung it on the side mirror to dry, as it was wet with perspiration. _____ was unable to provide any information regarding the license tags or state of registration for these two vehicles.

OIC 000138

_____ stated that there are two paths from the parking

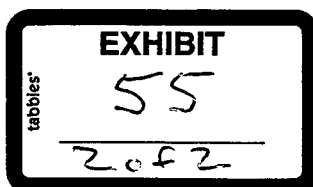
**CONFIDENTIAL**

000212

9D-LR-35063

Continuation of FD-302 of _____, On 4/14/94, Page 6

pickup truck, burgundy or blue in color; the second was a car, but he could furnish no further description. He described the park service employees as follows: a black male, age approximately 50, and a white male, age approximately 35. He stated that he waved to them and the white male came over, adding that the black male remained by the pickup truck. advised that he informed the white male park employee that he had just come from Fort Marcy Park and that there was a body located up by the second cannon and that it appeared to be dead and would they mind calling the police. He stated that the white male responded to the effect that he would call the authorities. advised that to the best of his recollection, the black male did not come over to his van nor was he a part of the conversation. stated that he then quickly drove from the maintenance area, recalling that the thought entered his mind that he hoped that the two park employees did not get his license tag number. He stated that he then proceeded directly home to his residence in . To the best of his recollection, he mentioned this incident to his brother and to the next morning at the job site.



000213

1459

REPORT OF INTERVIEW

Interview of: Anonymous WITNESS

Interviewed by: G. Gordon LIDDY

Date of Interview: 22 March 1994

Transcribed: 27 March 1994

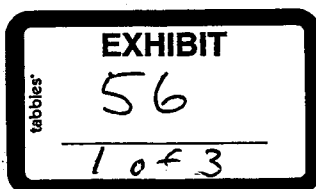
WITNESS had previously contacted LIDDY and interview was conducted at WITNESS' home by appointment, commencing 1744 hours. LIDDY's notes were taken at kitchen table on a spiral ring pad provided by WITNESS.

At request of LIDDY, WITNESS identified himself but exacted a promise that LIDDY would never identify him.

WITNESS advised that between 1730 and 1745 hours of 20 July 1993 he was proceeding northwest in his white utility van along the George Washington memorial Parkway in Virginia on his way home from work. There was a traffic jam and traffic was barely moving. The outside temperature was approximately 100 degrees Fahrenheit and he felt an urgent need to urinate. He pulled off the parkway at the entrance to Fort Marcy Park and proceeded to the parking lot. There were two automobiles parked in the lot when he arrived.

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OIC 000105



000214

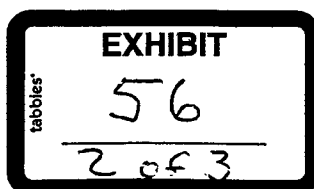
traced his line of walk, this time back to his van. He pointed out that his walk took him to a position near and above the Honda automobile and, as he walked past it, he looked inside. He observed a suitcoat which matched in color the trousers on the body he had found. The coat was light gray, appearing to be thrown, not neatly folded, over the back of the seat on the passenger's side. The coat was barely over the top of the seat-back.

WITNESS thinks he saw a briefcase on the passenger's side on the floor, although he is not certain. He stated that he is certain, however, that there was a "Four pack" of "wine cooler" in there. WITNESS stated that he observed the interior of the Honda from approximately eight feet above and twenty-five feet laterally in distance.

CONFIDENTIAL

WITNESS re-entered his van, then drove to park headquarters. There he saw two males dressed in what appeared to him to be park service uniforms. They were leaning against the tailgate of a truck. One was about fifty years old and black, the other was white and about thirty to thirty-five years old. From the driver's seat of his van, he waved to them to come over. The white man came over to the driver's side of the van. WITNESS asked for access to a telephone. The park service employee asked him what for?

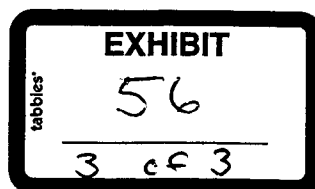
WITNESS told the employee about his finding of a body and its location, using the cannon as a reference mark. The employee said that he knew exactly what he was talking about and which cannon to



OIC 000109

000215

look for. WITNESS asked, "Do you mind making the call?" The ~~em~~ employee replied, "Not at all." and left. WITNESS says he then left the park, "praying that they wouldn't get his license plate number." LIDDY asked him why and WITNESS replied, "Because I don't want to end up like that guy I found." He stated that fear was why he had exacted LIDDY's promise not to reveal his identity. He stated that LIDDY had his permission to reveal everything he had told him except his identity. He stated that he decided to come forward to this extent because the stories that he has been reading about the body and its discovery are "not right." WITNESS stated that he chose to disclose his story through LIDDY because he was certain that LIDDY would never "give him up."

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OIC 000110

000216

29D-LR-35063

CONFIDENTIALContinuation of FD-302 of RALPH MICHAEL PISANI, On 3/11/94, Page 2

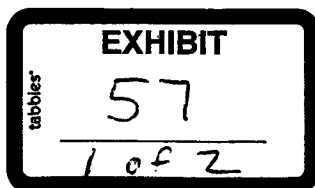
On the day of the FOSTER incident, PISANI was driving Engine 1, which is assigned to Station 1. JAY IACONE was also in the engine because he had switched duties for the day with Lieutenant BIANCHI. After being dispatched to the scene of a possible suicide in Fort Marcy Park, Virginia, PISANI drove Engine 1 to the park's parking area and met with personnel from Medic 1, which had also been dispatched to the scene from Station 1. There were no police on the scene when PISANI arrived, and no one was present to direct FCFRD personnel to the location of the incident. The FCFRD personnel on the scene split into two groups to search for the scene of the possible suicide. PISANI's group was comprised of RICHARD ARTHUR from Medic 1, JENNIFER WACHA, IACONE, and PISANI. A second group, comprised of GEORGE GONZALES and COREY ASHFORD from Medic 1, went in another direction into the woods and eventually found the body which was later identified as that of FOSTER. PISANI's recollection is currently unclear, and he believes that TODD HALL may have been the driver of Medic 1.

As PISANI's group walked through the woods down toward the Potomac River, the members of the group observed a male and female in the woods. After the group received word that a patient had been located, PISANI's group reversed direction and returned initially to the parking lot before continuing to the patient's location. While returning to the parking area, the members of the group noted that the previously observed couple was still in the woods. PISANI later observed that the police were on the scene when the couple came out of the woods.

Once PISANI's group arrived at FOSTER's body, PISANI may have observed ARTHUR checking FOSTER's pulse, but no extraordinary measures were undertaken in an effort to resuscitate FOSTER. PISANI inquired about the whereabouts of a gun and he was standing approximately fifteen feet from FOSTER's body when ARTHUR pointed out what he said was a gun alongside FOSTER's body. PISANI did not actually see the gun when ARTHUR pointed it out. PISANI recalls that FOSTER was wearing a white shirt and dark suit trousers and that the body was on a trail.

After the members of PISANI's group determined that they could be of no further assistance with the patient, they returned to the parking area. PISANI looked into a small car in the lot and observed a jacket, which he assumed to belong to FOSTER since the jacket appeared to match the trousers worn by FOSTER. PISANI, IACONE and WACHA all looked into FOSTER's

OIC 000016



000217

29D-LR-35063

CONFIDENTIALContinuation of FD-302 of RALPH MICHAEL PISANI, On 3/11/94, Page 3

automobile, but they did not try to open any of the doors.
PISANI had observed one other automobile in the lot when he first arrived at the park, but he cannot recall any descriptive details.

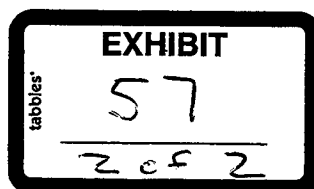
PISANI recalls arriving at the park on the day of the incident in the late afternoon or perhaps as early as 2:00 or 3:00 p.m. He recalls that the weather was very warm, with a temperature possibly in the nineties and with high humidity of approximately 80%. There was still daylight when PISANI arrived at the park.

PISANI does not recall if the original radio dispatch to the units at Station 1 mentioned the use of a gun or not. He learned from GONZALES that a gun was involved in the incident. PISANI did not hear any of the police officers on the scene describe the incident as a suicide.

After FOSTER was determined to be deceased, Engine 1 was put back into service and PISANI drove the engine from the scene.

Normal practice at a scene such as the one in Fort Marcy Park calls for responding personnel to examine the body and use a heart monitor to check for any heartbeat in the victim. PISANI did not see the heart monitoring equipment used on FOSTER, but he notes that he was not present when the first FCFRD personnel arrived to examine the patient. In addition, the officer on the medic unit, who in this case was GONZALES, would normally make a determination of the patient's viability. PISANI's job would be to assist the medic officer in whatever manner the officer asked. PISANI did not observe any peculiarities at the scene.

A total of four units from Station 1 responded to Fort Marcy Park for the FOSTER incident. PISANI drove Engine 1, which is a fire truck equipped with hoses and water for fighting fires, and was accompanied in the engine by IACONE. Truck 1, which is a fire truck equipped with an aerial ladder, was driven by VICTORIA JACOBS and was also staffed by Lieutenant BIANCHI as the truck officer and by ANDY MAKUCH in the bucket. Medic 1 was staffed by WACHA, who was the driver, GONZALES, the officer-in-charge, and ARTHUR. Ambulance 1 was staffed by ASHFORD as the officer-in-charge and by a driver whose identity PISANI cannot presently recall. Due to the passage of time, PISANI is uncertain about



OIC 000017

000218

Transcript of tape of U.S. Park Police Radio Run, July 20, 1993

The tape transcribed below leaves out the time the Park Police transmission begins. The conversation between the Park Police officer receiving the call about a dead body and the dispatcher is not included. Because the first recorded time by dispatcher appears at 18:06 hours, several minutes of conversation are missing. A transmission transcribed by Park Police in 1993 and submitted to the Senate Banking Committee, stated that transmission time began at 18:02:35.

1st unknown: *Communications [11 second omission between the officer reporting and communications]*

2nd unknown: *Be advised 211 [Ferstl]*

Ferstl (211): *[unintelligible]*

Dispatcher: *211 [Ferstl] I couldn't copy your response*

Unknown (226): *226 [unknown officer] -- I'm out at D-2 -- I'll advise 211 [Ferstl] go ahead*

Dispatcher: *10-4. Have him respond to Fort Marcy in reference to a DB [dead body]*

Ferstl (211): *[unintelligible]*

Dispatcher: *10-4. Inside the park near the last cannon gun -- 10-4*

Dispatcher: *Fairfax fire is in route*

Ferstl: *10-4*

Dispatcher: *18:06 [6:06 p.m.]*

765 (unknown): *765 [unknown] clear to assign an assist DB up at Fort Marcy*

Dispatcher: *765 [unknown] you have a lot of background can you try it again*

*[*****Unrelated dispatch*****]*

Unknown (311): *Priority*

Dispatcher: *Go ahead 311*

Dispatcher: *Go ahead 311*

Unknown (311): *Priority*

Dispatcher: *Go ahead 311 -- go*

Unknown (311): *[unintelligible] -- priority -- it's going to be westbound Arkansas off Piney Branch undercover vehicle*

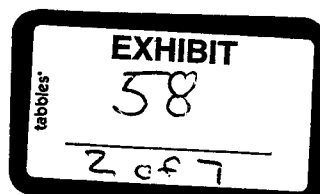
Dispatcher: *Is that 311 and MPD in that also there*

311: *10-4 they were the first vehicle is going to be northbound 16th street*

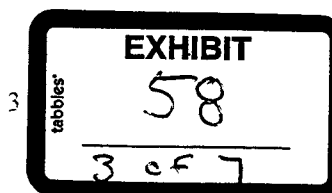


000219

Dispatcher: Copy northbound 16th street you have a vehicle description
 311: West on Shepard
 Dispatcher: I copy west on Shepard may I have a vehicle description
 Dispatcher: 311 any up date
 311: Ya we just went westbound on Taylor Street at 17th street
 Dispatcher: 17th and Taylor is that traffic only
 311: yes northbound on 17th
 Dispatcher: Copy northbound on 17th
 [unintelligible]
 311: Northbound Varnum [unintelligible]
 Dispatcher: Northbound Varnum -- do you happen to know what subject is wanted for
 311: North on Webster
 Dispatcher: Copy northbound Webster -- do you have any description on vehicle
 311: Small black car two door
 311: [unintelligible]
 Unknown 86: (Sirens) 86 [unknown] at the park
 311: Bragdon avenue Bragdon avenue
 311: That will be westbound on Bragdon
 Dispatcher: Copy eastbound Bragdon
 311: Now Bragdon on 16th he's going northbound on 16th
 Dispatcher: Northbound 16th
 311: On the sidewalk right there at 16 approaching Colorado
 Dispatcher: Copy on the (cut off)
 Dispatcher: Okay (cut off)
 Dispatcher: Okay 31 break it 211 [Ferstl] break it off
 302: [unintelligible]
 Dispatcher: 320
 302: [unintelligible] community be advised
 Dispatcher: MPD officials have broken it off
 Dispatcher: 311 you copy
 311: We copy
 Dispatcher: 18:09
 Fornshill: 261 tell CIB we found someone
 Dispatcher: 261 [Fornshill] I have you responding Ferstl [202] in route
 113: Car 113 10-8
 Dispatcher: Car 113 your clear 18:10 car 113 I'm sorry go to the Air and Space Museum to meet Security Officer stolen property

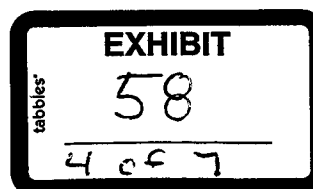


subject [redaction] stolen property
 113: 10-4 [unintelligible]
 Dispatcher: 18:10
 Eagle 2: Eagle 2
 Dispatcher: Go ahead Eagle 2
 Eagle 2: What was their location
 [unintelligible]
 Dispatcher: 10-4 they were at Colorado 16 and
 Colorado 302 is out with 311 all we
 have is a two door black vehicle
 Eagle 2: They'll be [unintelligible] shortly
 Dispatcher: 18:10
 Dispatcher: 302
 302: 1300 block of Kennedy bail out MPD
 [unintelligible]
 Dispatcher: Copy 1300 block of Kennedy
 302: 1300 block [unintelligible] 311
 Dispatcher: All units respond 1300 block of
 Kennedy bail out in the yard any
 descriptions on the subjects 302
 302: 302 tell them to slow it down
 Dispatcher: All units respond to slow it down copy
 apprehension there
 Dispatcher: 18:11 (6:11 p.m.)
 Female (263): 263 [female] [unintelligible] at Fort
 Marcy
 Dispatcher: 18:11 (6:11 p.m.)
 Unknown: [unintelligible]
 302: 302 report all officers okay
 Dispatcher: Okay 302 you were broken did I copy
 apprehension all units all officers are
 safe
 Eagle 2: Eagle 2 we got our suspects?
 302: That's affirmative all suspects are in
 custody
 Dispatcher: 10-4 all units involved they do have
 apprehension everything is 10-4 Eagle 2
 you copy
 Eagle 2: [unintelligible]
 Dispatcher: 10-4 302 you copy Eagle 2 go 1022
 302: 10-4
 Dispatcher: 18:12
 Unknown: [unintelligible]
 Dispatcher: 18:12
 514: 514 station clear
 Dispatcher: Go ahead 514
 514: 514 I got some ID on the driver could



000221

you 1027, 1029 the name ah garbled DC
 Dispatcher: Go ahead 514
 514: [redacted regarding 1028, 1029]
 Fornshill 261: Car 261 [Fornshill] on scene
 Dispatcher: 261 [Fornshill] 18:12
 Edwards 202: 202 [Edwards] -- 261 [Fornshill]
 respond back to post
 Dispatcher: 261 [Fornshill] you copy
 Fornshill 261: Negative
 Dispatcher: 202 [Edwards] advises you respond back
 to your post sir
 Fornshill 261: We are searching the area now and we
 haven't found anything
 Dispatcher: 10 (cut off)
 Dispatcher: Supposed to be by the last cannon
 Fornshill 261: 10-4 Fairfax county joined the search
 ONE (unknown): Car ONE station clear
 Dispatcher: Stand-by ONE
 302: 302
 Dispatcher: 302
 302: We got a 352 respond to a laceration
 located [unintelligible]
 Dispatcher: 302 is that for one of the officers
 Edwards 202: [unintelligible] for the subject
 Dispatcher: 18:14 (6:14 p.m.)
 Dispatcher: 261 [Fornshill] that subject is
 supposed to be near the last cannon gun
 Fornshill 261: 10-4 were searching the area
 Dispatcher: 261 [Fornshill] you have a lot of
 background sir can you slow your
 transmission down
 Fornshill 261: 261 [Fornshill], Fairfax County Fire
 with me were searching the area
 Dispatcher: 10-4, 202 [Edwards] you copy
 Edwards 202: 202 [Edwards] 10-4 have 211 [Ferstl]
 give his ETA
 Ferstl 211: 211 [Ferstl] I'm approaching 123 now
 Fornshill 261: 261 [Fornshill] we (transmission
 interrupted)
 276(unknown): 276 [unknown]
 Edwards 202: Respond back to your post
 (Ferstl)211: Have CIB respond
 Dispatcher: 261 [Fornshill] I copy that's
 affirmative on the subject
 Fornshill 261: That's affirmative but I want CIB unit
 know that I will direct CIB unit from
 entrance confirmed



000222

Dispatcher: 10-4 CIB units are en route 202
 [Edwards] you copy
 Edwards 202: 10-4
 Dispatcher: 18:15
 Dispatcher: 31 [unknown] you copy
 31(unknown): 31 [unknown] negative
 Braun 618: 618 [Braun]
 Dispatcher: 618 [Braun]
 Braun 618: Can I be advised if that's a natural or
 of suspicious nature
 Fornshill 261: Suspicious, suspicious nature
 Braun 618: 10-4
 Dispatcher: 18:16
 Fornshill 261: I believe he's [unintelligible]
 Eagle 2: Do you [unintelligible]
 Dispatcher: Car 31 [unknown] -- I have a
 Confirmation on the subject at Fort
 Marcy
 31(unknown): Car 31 [unknown]
 Dispatcher: Car 31 [unknown]
 31(unknown): Section alternate with 302 [unknown]
 Dispatcher: 302 [unknown] can you switch to channel
 1 for 31 [unknown]
 302(unknown): Please repeat what channel sir
 Dispatcher: Channel 1
 Dispatcher: 18:16
 31(unknown): Switch
 Fornshill 261: 261 [Fornshill]
 Dispatcher: 26 ----- 261 [Fornshill]
 Fornshill 261: 261 [Fornshill] it appears to be a
suicide at this time over over 10-6
 Dispatcher: 10-4 261 [Fornshill] also monitor radio
 transmissions [unintelligible]
 Dispatcher: 261 [Fornshill]
 Fornshill 261: 261 [Fornshill]
 Dispatcher: Did you copy
 Fornshill 261: 10-4
 Dispatcher: Also 202 [Edwards] advise to respond
back to your post when 211 [Ferstl]
arrives
 Fornshill 261: When 211 [Ferstl] gets here have him
bring up some crime scene tape
 Dispatcher: 10-4 211 (Ferstl) do you copy
 Ferstl 211: 211 [Ferstl]
 Dispatcher: 261 [Fornshill] requesting you bring
crime scene tape when you arrive
 Ferstl 211: 10-4 Also I just passed a 1050 into the

EXHIBIT

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5 of 7

5

tabbles

000223

trees apparently the operators okay
he's standing outside the car south
bound just south of 123 um have
202 [Edwards] ah ah assign me back to
there or if he wants me to stay at Fort
Marcy

Dispatcher: 211 [Ferstl] that's the accident from
earlier the subjects are waiting
[unintelligible]

Ferstl 211: 10-4

Dispatcher: 18:17

Car ? : at D 5

Dispatcher: 18:17

512(unknown) : Car 512 [unknown] 10-8

Dispatcher: 512 [unknown] your clear 18:18

Mother 21: Mother 21

Dispatcher: Go ahead mother 21

Mother 21: I have a van at Rock Creek Parkway and
151 vehicle (information redacted) for
taxi have [unintelligible] authorities
in respond [unintelligible]

Dispatcher: Mother 21-- Motor 20 handled that
about? Already in route, sir

Dispatcher: 18:18

Unknown: [unintelligible]

Braun 618: 618 [Braun]

Dispatch: 618 [Braun]

Braun 618: 618 [Braun] advise 261 [Fornshill] to
secure the entrance of Fort Marcy

Fornshill 261: Can't 211 [Ferstl] do that when he
arrives with the crime scene tape

Ferstl 211: 211 [Ferstl] [unintelligible]

Dispatch: 18:19

Mother 8: Mother 8

Dispatcher: Go ahead Mother 8

Mother 8: [unintelligible] northbound or
southbound lane

unknown: 16 northbound lane

unknown: [unintelligible]

unknown: [unintelligible]

302(unknown) : 302 [unknown] 1029

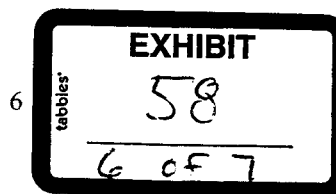
Dispatcher: Go ahead 302 [unknown]

302(unknown) : 302 [unknown] (information redacted)
Nissan black [unintelligible]

113(unknown) : [unintelligible]

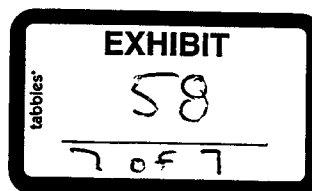
Dispatcher: 18:20

Dispatcher: 302 [unknown] 1029 vehicle comes back



000224

on a 86 Nissan loss indicates the
 subjects (information redacted)
 202 Edwards: 1020 [unintelligible] briefcase
 recovered
 Dispatcher: 10-4 Fort Marcy
 Dispatcher: 311 carrying it out or MPD
 311: 311 sir
 Dispatcher: I copy 2 arrest
 311: [unintelligible]
 Dispatcher: Car 302 [unknown]
 302(unknown): 302 [unknown]
 Dispatcher: OK can you switch to channel 3 for the
 plates
 302(unknown): 10-4 also have a second set of plates
 are on the way
 Dispatcher: Okay go ahead with the tag (information
 withheld)
 Dispatcher: That will be channel 1 copy return
 Motor 12:
 Dispatcher: 102 D [unknown] switch to channel 3 for
 plates
 Dispatcher: 102 [unknown]
 102(unknown): Switching for plates
 Dispatcher: 18:22
 Unknown: [unintelligible]
 Unknown: [unintelligible]
 Mother 12: Mother 12
 Dispatcher: Go ahead Mother 12
 Mother 12: See if mother 8 is available for 1025
 Mother 8:
 * * *
 Dispatcher: 18:28
 Unknown: 211 could you have 261 return to the
 crime scene
 Ferstl 211: Copy
 Dispatcher: 18:28
 Dispatcher: 18:29
 Braun 618: [unintelligible]
 Dispatcher: 618 can you switch to channel 1
 Braun 618: Switching
 Dispatcher: 18:29
 Dispatcher: 18:30



1458

G. GORDON LIDDY

9112 RIVERSIDE DRIVE
FORT WASHINGTON, MARYLAND 20744

7909 JOSHUA TREE LANE
SCOTTSDALE, ARIZONA 85250

April 5, 1994

Roderick C. Lanklar, Esq.
Office of the Independent Counsel
1001 Pennsylvania Avenue, N.W.
Washington, DC 20004

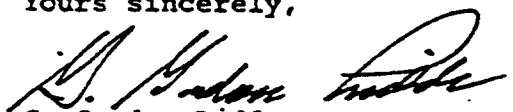
Dear Mr. Lanklar:

I enclose my report of interview, dated 27 March 1994, of a man who claims to have found the corpse of the late Vincent Foster. The report of interview is self-explanatory.

The report contains details about the scene and the interior of Mr. Foster's automobile that I, for one, have never seen published. You have available to you all of the information from the various authorities summoned to the scene. If there has occurred no policing of the area (in the military sense) from the time the individual I interviewed claims he discovered the body until the time others arrived on the scene, the details, particularly concerning the "wine cooler", etc., may assist you in determining whether this individual did, in fact, come upon Mr. Foster's body.

I am available to you or any of your special agents for interview. I will tell you anything other than the identity of the individual, unless and until he should release me from my promise not to identify him.

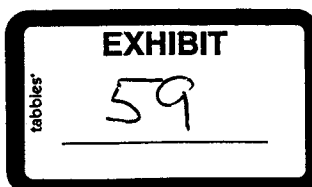
Yours sincerely,


G. Gordon Liddy

GGL:ja
encl.

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OIC 000104



000226

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 4/8/94

Mr. _____ was interviewed at the Turkey Run Maintenance Facilities, U.S. Park Services, Fairfax County, Virginia. Mr. _____ was advised as to the identities of the interviewing agents and informed of the nature of the interview. He then provided the following information.

Mr. _____ advised that for the past seven years he has been employed _____ for the U.S. Park Service, Washington, D.C., and presently resides at _____

EXHIBIT

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T C F 4

Mr. _____ advised that to the best of his recollection on July 20, 1993, he completed his work day with the U.S. Park Service in the late afternoon and joined a fellow U.S. Park Service employee, _____ in a "moonlighting" job _____ at a private residence in Northern Virginia. He maintained that after completing this after-job activity at approximately 5:00 p.m. on July 20th, he and _____ purchased a six-pack of beer at a convenience store and drove to the Turkey Run Maintenance Center.

_____ further advised that since there was unusually heavy traffic on this particular evening, parked his vehicle in the Turkey Run Maintenance parking area, directly opposite a public telephone and both proceeded to consume two or three beers apiece. According to sometime between 5:30 and 6:00 p.m., a white van entered the parking area and the occupant of the van engaged him in conversation while he, _____ was walking from vehicle to his own vehicle. _____ stated that the driver of this white van specifically asked him if he would call the Park Police, further informing Mr. _____ that he had seen a body at Fort Marcy Park and that it looked like this man had been shot and that he looked dead. He further added that he strongly believed that the occupant of this van informed him that the body

Investigation on 3/30/94 at Fairfax County, VA File # 29D-LR-35063

by _____

Date dictated 4/4/94

OIC 000111

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29D-LR-35063

Continuation of FD-302 of _____, On 3/30/94, Page 2

of this individual was behind the second cannon at Fort Marcy Park. After receiving this notification from the occupant of the white van, _____ called _____ over and believes that the occupant of the white van repeated the same information to _____. He recalls asking _____ if he had the telephone number to report information regarding the dead body to the U.S. Park Police.

Mr. _____ further commented that while he could not recall the exact words spoken by the occupant of the white van, he was fairly certain that he mentioned a "body by the second cannon." He advised that he did not ask any questions of the occupant of the white van which immediately departed the parking lot after furnishing this notification to himself and Mr. _____.

Mr. _____ specifically remembers that after the van departed the area, Mr. _____ utilized the payphone located to the right of the entrance to the Turkey Run Maintenance Park to call the U.S. Park Police and to inform them of the information they received from the occupant of this van. He stated that he could not recall the exact words used by Mr. _____ in notifying the U.S. Park Police authorities and that immediately after concluding this telephone call, both he and _____ left the area in separate vehicles, returning to their residences.

In an effort to further clarify the above information supplied by Mr. _____, he stated that he was intimately familiar with Fort Marcy Park, since his work with the Park Service

As such, he stated he knew the exact location of the second or top cannon in Fort Marcy Park which, in his opinion, gave more credibility to the occupant in the van when he reported the disposition of the dead body. _____ also advised that he was never interviewed by U.S. Park Police officials regarding this particular incident, nor did he volunteer any information to the U.S. Park Police when it became public information that the dead body in Fort Marcy Park on July 20th was, in fact, a White House official. According to _____, his silence regarding this issue was justified since he was informed by _____ a few days after the July 20, 1993 discovery of the body that he had provided detailed information to the U.S. Park Police regarding this matter. _____ further related that in his opinion, the failure of _____ to identify himself when notifying the U.S. Park Police of the information related by the

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Continuation of FD-302 of _____ On 3/30/94 Page 3

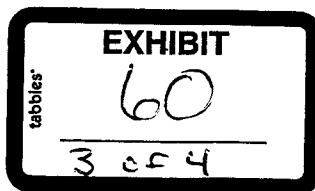
occupant of the van was generally a hesitancy to get involved with police authorities, as well as to a minor concern that they were drinking beer in a U.S. Park Service facility. Mr. further maintained that, with the exception of brief discussions with Mr. shortly after the discovery of Mr. Foster's body, he has had no other discussions with fellow workers regarding this issue, nor has he been contacted by the media regarding this particular incident. Furthermore, Mr. vehemently denied that he was in Fort Marcy Park on July 20, 1993, to include a denial that he discovered the body of Mr. Foster.

Mr. furnished the following descriptive data regarding the above cited van, as well as a description of the occupant:

Vehicle: Late model (early to mid-1980's), white service van, possibly a Chevrolet. Service van believed to have been engaged in heating/cooling or air conditioning business, with a possibility that heating and plumbing materials such as valves or old air conditioners were located in the van. On the driver's side of the van was blue and red lettering, with a possibility of a 703 prefix also on the driver's panel side of the door. The vehicle had two doors in the rear and vehicle appeared to have been well-used with some dents and scrapes.

Occupant:
Race/Sex: White male
Age: Late 40s (45-48)
Weight/Body: 210-215 lbs., stocky build
Height: 5'7"-5'8"
Hair: Light brown, worn short, not over the ears

OIC 000113



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29D-LR-35063

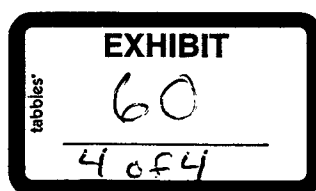
Continuation of FD-302 of _____, On 3/30/94, Page _____

Face: No facial hair, rounded face, slightly chubby, possibility of black-rimmed eyeglasses

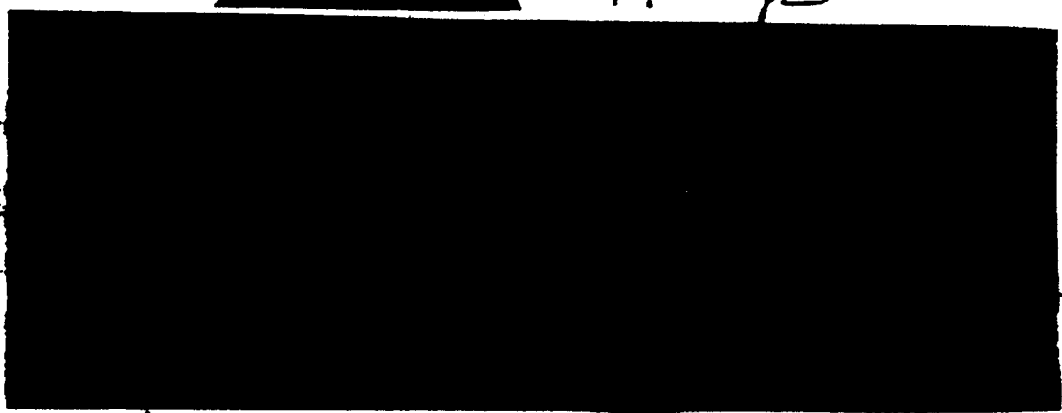
Speech: No noticeable accent

Dress: Standard service company, white in color, with collared shirt. Believed to have company name or wearer's name on breast pocket.

In addition to the above information, Mr. _____ stated that the occupant of the van appeared slightly nervous but composed and did not demonstrate any outward manifestations of being gay. He further maintained that, with the exception of Mr. _____, there were no other individuals in the parking area the evening of July 20, 1993, who would be in a position to provide further description of this van or the occupant. Mr. _____ concluded by stating that he felt fairly confident that he would be able to recognize in the future the occupant of the above-described white van.



[REDACTED] (2/3/64)
USSA Park Seen [REDACTED] 3/3/74
[REDACTED] - 1974



- After work, left with [REDACTED] to residence in N. LA. [REDACTED]
- Stopped to park beer - SPN
- Turkey Reef. - had left truck at T. Run prior to job.

→ • Stopped in parking lot - & you crossing parking lot - & later saw -

→ "you need to read Park Police - he saw

→ abody at Ft. Maule - " looks like he ^{is shot} ~~shot~~ ^{away} ~~away~~ (~~not sure~~) he looks dead

Thought he would be behind
the 2nd Cannon. ~~at least~~
very familiar with Ft Marney.

• He called [redacted]
over - & mentioned to
[redacted] what the man
said & asked him if
he had to use it.

• I asked no questions

UPM:

History of cooling / Die
Capacity UPM -

• U2 tags

[redacted] called - slept
has been - dead body / drunk
beer.

• called WPP on

refine that person's
slot.

→
Right after called left to

Plates on telephone prefix
on the letter — major
Virginia Healy & Thompson.

- Believe a Chevy USA.

- Doors in rear

- Didn't see my sled's
door

- ~~Thompson~~

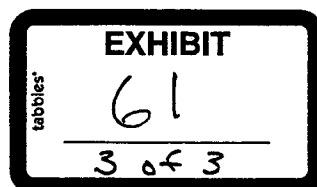
- sled in wind shield

- Talked to occupant
a driver side.

- Roadside — & used.

- Thought he saw values on
old mic-cadillac.

→ Thought he stepped out of car



1439

FD-302 (Rev. 3-10-82)

CONFIDENTIAL

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 4/6/94

Mr. _____ was interviewed

At the outset, he was advised of the identities of Special Agents _____ and _____ and further informed that they wished to interview him concerning an ongoing investigation relating to the death of Vincent Foster at Fort Marcy Park on July 20, 1993.

Mr. _____ stated that he has been employed by the National Park Service. He stated that on July 20, 1993, he was assigned to work in the South end of the George Washington Memorial Parkway in the vicinity of Mt. Vernon, _____ stated that he returned to the National Airport Maintenance Yard at approximately 3:00 p.m. and met up with a fellow employee, _____ explaining that he had lined up a side job at a private residence in McLean, Virginia, and that was going to assist him. _____ stated that he and _____ drove directly from the National Airport Maintenance Yard to the private home site in _____ truck. _____ was unable to provide the address for this private home, but stated that if need be, he could point it out to the agents. They finished up the _____ job at approximately 5:00-5:15 p.m. and then stopped to pick up a six-pack of Budweiser at a 7-11 located on Chain Bridge Road in McLean. He then drove to the Turkey Run Maintenance Yard off the GW Parkway

and parked in the front parking lot back towards the pine trees that are located to your left as you drive into the maintenance yard. _____ stated that they both had three beers and were getting ready to leave the yard when a white male in a white Chevy van pulled into the maintenance yard off of the GW Parkway. He estimated the time to be approximately 5:45 p.m. The van pulled up to where he and _____ were sitting. At the time, both he and _____ were still in their park service uniforms. _____ advised that the van driver asked if they worked for the park service and they responded in the affirmative. The van driver then stated words to the effect that

Investigation on 3/30/94 at Alexandria, Virginia File # 29D-LR-35063

by _____ Date dictated 3/31/94 OIC 000094

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EXHIBIT
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Continuation of FD-302 of _____, On 3/30/94, Page 2

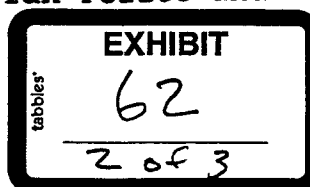
"there is a body down at Fort Marcy up by the cannon and could they call the police." Mr. _____ further added that as best he recalls, the driver of the van also remarked that he had been walking through Fort Marcy Park and saw "this body that apparently looked like it was dead."

Mr. _____ advised that using a pay phone located in the parking lot area, he called the police on 911 and believes he reached the Fairfax County Police, informing them of the information provided by the van driver. As best he recalls, the operator told him that Fort Marcy was Federal park jurisdiction and that he should also call the U.S. Park Police. Mr. _____ advised that he then called the Park Police using the same public telephone, adding that the Park Police number was located on a outside bulletin board next to the phone. He advised that he called the Park Police within a few minutes after hanging up with the Fairfax County Police.

Mr. _____ stated that he provided the same information to the Park Police, adding that he did not give his name because he did not want to get involved. He stated that he wanted to be sure that if someone needed help, they received it, but he didn't want to be answering all kinds of questions and wasn't sure whether the whole thing was just made up or a joke. Mr. _____ stated that after he talked to the Park Police, he and _____ left the Turkey Run Maintenance area and he proceeded directly home.

Mr. _____ stated that when leaving, he noticed that there were a few park rangers still at the maintenance yard, but neither he nor _____ said anything to the rangers. As best he recalls, upon arriving home, he discussed the matter with his wife, stating that by that time, he believes it was already on the news.

_____ stated that the driver of the van was at the Turkey Run Maintenance parking lot no more than 30 seconds. He never got out of the truck and when he drove out he went North on the George Washington Parkway. He stated that he and _____ did not press the individual for more information. As best he recalls, as soon as the van left, he and _____ discussed the situation briefly and then he proceeded to the pay phone to call the authorities. He was unable to recall the exact conversation that he had with the Fairfax Police and Park Police authorities,



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000235

29D-LR-35063

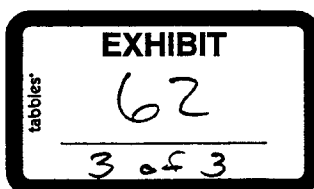
CONFIDENTIALContinuation of FD-302 of _____, On 3/30/94, Page 3

adding that he tried to give them every bit of information provided by the van driver.

described the driver of the van as follows: white male, age approximately 45-50, dark or black hair with a receding hairline, speckled with gray, approximately 200-210 pounds, chubby, height - approximately 5'9"-5'10" (difficult to estimate because the driver never got out of the van), rounded face, clean-shaven, wearing a short-sleeved shirt with collar, color - light blue with possible vertical stripes (definitely a working-type shirt rather than a dress shirt), no noticeable accent. Mr. _____ stated that only he and _____ saw or spoke to this individual. He stated that he has not seen the van or the individual since, adding that he probably could identify him if he saw him again. Mr. _____ stated that it was his impression that the man was just trying to help. He did not appear to be in an agitated or nervous state.

described the van as a 1987 or 88 Chevy or GMC, three-quarter ton, possibly bearing Virginia tags, windowless doors in rear, possibly a sliding door on passenger side with blue writing on side, possibly some type of advertising. _____ further stated that it could have been a plumber's van, since he saw through the driver side window what appeared to be pipes in the rear of the van.

At the conclusion of the interview, Mr. _____ was specifically asked if he or his friend _____ had been at Fort Marcy Park that day and found the body but failed to report it, fearing reprisal from park authorities either because of their moonlighting activities or because they were drinking on park property. Mr. _____ answered without any hesitation that he had not been at Fort Marcy Park that day or for some time, and stated that he was not in any manner involved in the discovery of Mr. Foster's body.



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2116

0872

NATIONAL PARK SERVICE

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

JUVENILE CASE C

REPORTING AGENCY United States Park Police		MONTH 07	DAY 20	YEAR 1993	CASE/INCIDENT NUMBER 93-03105012
NATURE OF INCIDENT Death Investigation		CLASSIFICATION OF INCIDENT Suicide			

Transcription of telephone call to Park Police on July 20, 1993, at 18:03:30.

Sgt Myers: Park Police Sgt. Myers

NPS Employee: Hey (unintelligible) we got a lot, a problem.

Sgt. Myers: No we don't.

NPS Employee: Yea you do.

Sgt. Myers: Oh we do, ok. Tell me about it.

NPS Employee: Hey, you got an accident on 1, down below 123.

Sgt. Myers: Already been handled.

NPS Employee: huh?

Sgt. Myers: It's already been handled.

NPS Employee: Ok.

Sgt. Myers: Mans' waiting on a tow truck to come and get him.

NPS Employee: Yea, ok then.

8 WARRANTED <input type="checkbox"/> YES <input type="checkbox"/> NO	9 <input type="checkbox"/> LATENTS <input type="checkbox"/> PHOTOS	10 TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12 PAGE 1 OF 5 PAGES
13 STATUS: <input type="checkbox"/> OPEN <input type="checkbox"/> SUSPENDED		CLOSED BY: <input type="checkbox"/> ARREST <input type="checkbox"/> EXCEPTION <input type="checkbox"/> UNFOUNDED		
14 REPORTING OFFICER	BADGE/ID	DATE	15 INVESTIGATOR CHECK W. Hume	16 SUPERVISOR BADGE/ID DATE

U.S.G.P.O. 1007-0-425-124-106

EXHIBIT
63
1 of 5

000237

2117

12823

NATIONAL PARK SERVICE

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

JUVENILE CASE C

SYSTEM AREA United States Park Police	WHEN DID IT OCCUR? MO: 07 DAY: 20 YR: 93	4 YEAR 93	CASE/INCIDENT NUMBER 030502
NATURE OF INCIDENT Death Investigation	RECLASSIFICATION OF INCIDENT Suicide		

RESULTS OF INVESTIGATION

ITEM 1

Sgt. Myers: I appreciate your calling in.

NPS Employee: Hold it, hold it.

Sgt. Myers: What?

NPS Employee: You got a dead body.

Sgt. Myers: We do?

NPS Employee: Yea.

Sgt. Myers: You sure?

NPS Employee: There was this guy telling me now, I don't know.

Sgt. Myers: Who told you?

NPS Employee: Guy came in a white contractor uh truck or uh chevy.

Sgt. Myers: The dead man told you, or another guy told you?

NPS Employee: Now wait, a hold, a dead man don't talk.

Sgt. Myers: Oh.

NPS Employee: Ok.

Sgt. Myers: Fort Marcy?

NPS Employee: Yea, Fort Marcy.

Sgt. Myers: Up at the park.

NPS Employee: Right.

Sgt. Myers: Did you get the guy's name that told you?

NPS Employee: No, that sucker, told us then took off.

Sgt. Myers: What kind of car?

NPS Employee: He had uh.

Sgt. Myers: He may have done it.

NPS Employee: A chevrolet white uh.

EXHIBIT
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2 of 5

8 WARRANTS <input type="checkbox"/> YES <input type="checkbox"/> NO	9 LATENTS <input type="checkbox"/> LATENTS <input type="checkbox"/> PHOTOS	10 TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12 PAGE 2 OF 5 PAGES
13 STATUS: <input type="checkbox"/> OPEN <input type="checkbox"/> SUSPENDED	CLOSED BY: <input type="checkbox"/> ARREST <input type="checkbox"/> EXCEPTION <input type="checkbox"/> UNFOUNDED			
14 REPORTING OFFICER	BADGE/NO	DATE	15 INVESTIGATOR	BADGE/NO
			16 SUPERVISOR	BADGE/NO
				DATE

U.S. GPO 1987-0-625-324/411

000238

2118

3820

NATIONAL PARK SERVICE

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

JUVENILE CASE

SYSTEM AREA United States Park Police		WHEN DID IT OCCUR?	MO 07	DAY 20	YR 93	YEAR	CASE/INCIDENT NUMBER 93030502			
SIGNATURE OF INCIDENT Death Investigation		RECLASSIFICATION OF INCIDENT Suicide								

ITEM 7 RESULTS OF INVESTIGATION

Sgt. Myers: He may have done it, just a minute, think hard now I want all that you know about this guy. What kind of car did he have?

NPS Employee: Huh?

Sgt. Myers: What kind of car did he have?

NPS Employee: He had a truck.

Sgt. Myers: Had a truck? Van?

NPS Employee: Yea.

Sgt. Myers: What color?

NPS Employee: White.

Sgt. Myers: White, what's uh, make, do you know a make?

NPS Employee: Uh, what make of van was that? It uh I mean what, what year? Look like about a 78 or 79 or something like that.

Sgt. Myers: Ok, and uh did you know what state tags he had?

NPS Employee: He had Virginia tags on there.

Sgt. Myers: Virginia tags?

NPS Employee: Yeah.

Sgt. Myers: Ok, what, what would you describe him, is he a white male, black male, what?

NPS Employee: White male.

Sgt. Myers: White male, how tall?

NPS Employee: Uh, he was sitting in the van (unintelligible).

Sgt. Myers: Oh, he was sitting in the van?

NPS Employee: Five eleven, five something like that.

Sgt. Myers: Ok, any facial hair? Beard, mustache?

NPS Employee: No, kinda plain looking you know.

EXHIBIT
63
3 of 5

8 WARRANT(S) <input type="checkbox"/> YES <input type="checkbox"/> NO	9 <input type="checkbox"/> LATENTS <input type="checkbox"/> PHOTOS	10 ID TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12 PAGE 3 OF 5 PAGES
13 STATUS: <input type="checkbox"/> OPEN <input type="checkbox"/> SUSPENDED		CLOSED BY: <input type="checkbox"/> ARREST <input type="checkbox"/> EXCEPTION <input type="checkbox"/> UNFOUNDED		
14 REPORTING OFFICER	BAOGE/ID	DATE	15 INVESTIGATOR	BAOGE/ID
			<i>W. L. W. - Dume</i>	DATE
			16 SUPERVISOR	BAOGE/ID
				DATE

U.S.G.P. 1902 0423 524.41

000239

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

SYSTEM AREA United States Park Police		3 WHEN DID IT OCCUR?	MO 07	DAY 20	YR 93	14 YEAR 93	CASE INCIDENT NUMBER 03-015012
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5 NATURE OF INCIDENT Death Investigation	6 RECLASSIFICATION OF INCIDENT Suicide
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ITEM	RESULTS OF INVESTIGATION
	<u>Sgt. Myers:</u> Ok, now.
	NPS Employee: A little bit on the heavy set.
	<u>Sgt. Myers:</u> Where, where did he stop and tell you this?
	NPS Employee: At Turkey Run.
	<u>Sgt. Myers:</u> At Turkey Run, at the maintenance yard, right?
	NPS Employee: Yeah.
	<u>Sgt. Myers:</u> Are you a Park Service employee?
	NPS Employee: Yes sir.
	<u>Sgt. Myers:</u> Ok, who are you, what's your name?
	NPS Employee: Do I have to do that?
	<u>Sgt. Myers:</u> Well, yeah really, what if this guy that stopped and told you is the guy that killed him? The, the detectives just want to talk to you a little bit. Ok, this guy came up the road, pulled into the parking lot?
	NPS Employee: Yeah.
	<u>Sgt. Myers:</u> And saw you'all standing there?
	NPS Employee: Uh-huh.
	<u>Sgt. Myers:</u> And came over and told you that what? Tell me what he told you.
	NPS Employee: He said you got a dead body down there at the Ft. Marcys.
	<u>Sgt. Myers:</u> Ok, did he say it was in the parking lot or back in the woods or.
	NPS Employee: He said it was back up there by the cannon.
	<u>Sgt. Myers:</u> Back by the cannon?
	NPS Employee: Looked like he was kinda queery, you know.
	<u>Sgt. Myers:</u> Yeah, the the dead body is back by the, by the cannon?

EXHIBIT
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 4 of 5

9 WARRANT(S) <input type="checkbox"/> YES <input type="checkbox"/> NO	10 LATENTS <input type="checkbox"/> LATENTS <input type="checkbox"/> PHOTOS	1010 TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12 PAGE 4 OF 5 PAGES				
13 STATUS: <input type="checkbox"/> OPEN <input type="checkbox"/> SUSPENDED	CLOSED BY: <input type="checkbox"/> ARREST <input type="checkbox"/> EXCEPTION <input type="checkbox"/> UNFOUNDED							
14 REPORTING OFFICER	BADGE/NO	DATE	15 INVESTIGATOR	BADGE/NO	DATE	16 SUPERVISOR	BADGE/NO	DATE

0283

NATIONAL PARK SERVICE

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

JUVENILE CASE

SYSTEM AREA United States Park Police		3 WHEN DID IT OCCUR?	MO 07	DAY 20	YR 93	4 YEAR	93	CASE INCIDENT NUMBER 030502			
5 NATURE OF INCIDENT Death Investigation						6 RECLASSIFICATION OF INCIDENT Suicide					

7 RESULTS OF INVESTIGATION

ITEM

NPS Employee: Yea.

Sgt. Myers: Ok, uh and what else did he say?

NPS Employee: That was it.

Sgt. Myers: Did he, he didn't say anything about how he found it or anything?

NPS Employee: He said he was walking by there.

Sgt. Myers: Think he was a queer?

NPS Employee: Huh?

Sgt. Myers: Think he was a fag?

NPS Employee: He said that he was back there and he walked by there and seen a body back there.

Sgt. Myers: He drove all the way up to Turkey Run to tell somebody huh?

NPS Employee: Yea.

Sgt. Myers: Ok, that's all you can tell me about him?

NPS Employee: That's it.

Sgt. Myers: Ok. What's your name? Come on man you work for us, you got to help us, you might be headlines, you might be on unsolved mysteries. Hello.

8 WARRANT(S) <input type="checkbox"/> YES <input type="checkbox"/> NO	9 <input type="checkbox"/> LATENTS <input type="checkbox"/> PHOTOS	10 ID TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12 PAGE 5 OF 5 PAGES
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13 STATUS: <input type="checkbox"/> OPEN <input type="checkbox"/> SUSPENDED	CLOSED BY: <input type="checkbox"/> ARREST <input type="checkbox"/> EXCEPTION <input type="checkbox"/> UNFOUNDED	
14 REPORTING OFFICER BADGE/ID DATE	15 INVESTIGATOR BADGE/ID DATE	16 SUPERVISOR BADGE/ID DATE

17 *11.1.10 June*

EXHIBIT

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028

NATIONAL PARK SERVICE

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

JUVENILE CASE C

INCIDENT NUMBER	MONTH AND DAY OCCURRED	MO	DAY	YR	YEAR	CASE INCIDENT NUMBER
Fort Marcy Park	0 7	2 0	9 3	9 3	0 3	0 5 0 2

NATURE OF INCIDENT
Death Investigation

RESULTS OF INVESTIGATION

ITEM

During the course of this investigation I was notified that there was a phone call made to the Park Police Communications section which reported that there might be a body at Fort Marcy. Pursuant to this I secured a copy of the tape and upon listening to it I realized that the reporting person refused to give his name to the dispatcher. During the course of the conversation this unidentified person stated that he worked for the Park Service and that he was making the call from Turkey Run Park. With this information Sgt. [Aulis] and myself responded to the park office at Turkey Run Park. There we met with two people who we believed might be able to recognize the voice on the tape. Subsequent to this conversation we searched and located the following person:

Francis Swann
 6101 Dial Village Ln.
 Upper Marlboro, Md.
 NS 201-528-0325
 WF - Unknown
 works at the National Airport work yard for the National Park Service

During the interview with Mr. [Swann] he stated that [“Chuck” Cree] crew and himself were sitting outside the Turkey Run Headquarters at approximately 1730 hrs. At this time a large white van, thought to possibly be a General Motors make, drove into the parking area. The van was best described as follows:

1987-1990, Chevy white in color
 construction writing on the side,
 Va. tags- unknown, no windows,
 described as “well used”.

The operator of this van was described as follows:

W/M, 47-50 yoa, chunky/heavysset, 220-2.5 lbs
 mostly graying hair, light skin tan, clean
 shaven with whiskers, possibly gay

This operator advised [Mr. Swann] that there was a body in the area of the cannon in Ft. Marcy Park. Based on this notification [Mr. Swann] called the Fairfax County Police and reported the incident. Subsequent to this call he called the U.S. Park Police and made the same report. [Mr. Swann] stated that there was no other conversation with records to the body.

10 WARRANTED <input type="checkbox"/> YES <input type="checkbox"/> NO	11 LATENTS <input type="checkbox"/> LATENTS <input type="checkbox"/> PHOTOS	12 INVESTIGATOR NOTIFIED	13 STATUS: <input type="checkbox"/> OPEN <input type="checkbox"/> SUSPENDED	14 CLOSING BY: <input type="checkbox"/> ARREST <input type="checkbox"/> EXCEPTION <input type="checkbox"/> UNFOUNDED				
15 REPORTING OFFICER	16 BADCEN	17 DATE	18 INVESTIGATOR	19 BADCEN	20 DATE	21 SUPERVISOR	22 BADCEN	23 DATE

EXHIBIT
 64

**DEPOSITION OF SCOTT SALTER
IN RE: S. RES. 120**

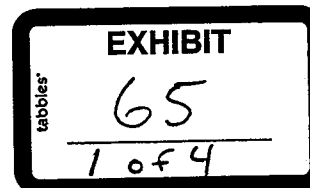
FRIDAY, JUNE 30, 1995

**U.S. SENATE,
COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS,
SPECIAL COMMITTEE TO INVESTIGATE WHITEWATER
DEVELOPMENT CORPORATION AND RELATED MATTERS,
Washington, DC.**

Deposition of SCOTT SALTER, called for examination pursuant to notice of deposition, at 9:43 a.m. in Room 640-A of the Hart Senate Office Building, before PATRICIA A. ZUBER, a Notary Public within and for the District of Columbia, when were present:

EVERETT C. JOHNSON, JR., Esq.
Majority Deputy Special Counsel
NEAL E. KRAVITZ, Esq.
Minority Principal Deputy Special Counsel
GLENN F. IVEY, Esq.
Minority Counsel
U.S. Senate
Committee on Banking, Housing, and Urban Affairs
534 Dirksen Building
Washington, DC 20510
On behalf of the Committee.

PAUL J. FISHMAN, Esq.
CHARLES J. SGRO, Esq.
Special Assistants to Deputy Attorney General
U.S. Department of Justice
ANDREA M. SIMONTON, Esq.
Deputy General Counsel
Federal Bureau of Investigation
On behalf of the Deponent.



000243

1 Q What makes you think it was afternoon on
2 the 21st?

3 A Because I know after we were notified, I
4 was in the car with Dennis Condon and we were working
5 on, I think it was a bank robbery case and John Danna
6 called us in my car and told us to go to the
7 southwest gate of the White House and meet him there
8 and that we were to, that we were going to be working
9 on a death investigation involving Mr. Foster's
10 death.

11 And I know that we went to the White House
12 directly from there and spent the rest of the
13 afternoon there which was maybe three hours or so we
14 spent working on this and then I just know it was in
15 the afternoon.

16 Q In your conversation with Mr. Danna, what,
17 if anything, did he say about the circumstances
18 surrounding Mr. Foster's death?

19 A He, I guess it was after we arrived at the
20 White House. We went to the Old Executive Office
21 Building and it was there that he explained to us
22 that Mr. Foster's body had been found the night

16

1 before at Fort Marcy Park. He explained that the
2 Park Police is investigating the matter and that we
3 were going to help them and that at that point it
4 appeared to be consistent with a suicide.

5 Q You think you learned those things after
6 you arrived at the White House?

7 A Yes.

8 Q And not on the radio call or telephone
9 call?

10 A No, not on the phone.

11 Q When you arrived at the White House, you
12 were accompanied by Special Agent Condon; is that
13 correct?

14 A Yes.

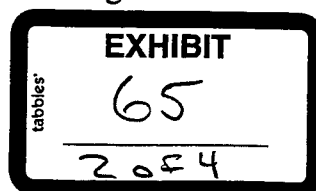
15 Q And Mr. Danna had already arrived at the
16 White House when you arrived; is that correct?

17 A Yes.

18 Q And I think you said you went to the Old
19 Executive Office Building, did I hear you right?

20 A Yes.

21 Q Who was physically present with you in the
22 Old Executive Office Building?



000244

1 Q Did they, at any time on the afternoon of
2 the 21st -- and by "they" I mean Mr. Markland or
3 Mr. Hume -- express to you any frustration or
4 annoyance at their inability to gain access to
5 Mr. Foster's office at any time on that day?

6 A The issue of access to the office I don't
7 think was brought up that day.

8 Q You didn't understand that you were there
9 to go into Mr. Foster's office on that day?

10 A No. It wasn't my understanding that that
11 was the specific task that we were there for on that
12 day, to go into the office. We were there to
13 generally assist them in conducting the investigation
14 which meant interviewing co-workers.

15 Q Co-workers of Mr. Foster?

16 A Right.

17 Q And any other thing?

18 A No, no, that was basically it. I
19 understood that we were going to do some interviews
20 and then proceed as the investigation, you know,
21 called for.

22 Q So on the 21st of July you didn't yourself

1 have any understanding that the Park -- that you or
2 the Park Police or anyone else would be going into
3 Mr. Foster's office on that day?

4 A That's correct.

5 Q Okay. Did you personally think that that
6 would be a natural thing to do, or did you not have
7 an impression one way or another?

8 MR. FISHMAN: Can we go off the record for
9 a second.

10 MR. JOHNSON: Sure.

11 (Discussion off the record.)

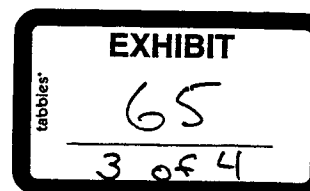
12 BY MR. JOHNSON:

13 Q Mr. Salter, my last question was whether or
14 not it occurred to you on the 21st that as an
15 investigator assisting the Park Police that you would
16 want to go into Mr. Foster's office?

17 A Yes.

18 Q Did you express that view to anyone?

19 A No, I don't think so. And I don't even, at
20 that point I wasn't aware if that had already been
21 done, because I knew the Park Police had been working
22 on the case.



000245

1 A I'm not familiar with that name.

2 Q Let me show you another document,
3 Mr. Salter, that bears FBI production numbers 4
4 through 12. Which appears -- which is a memorandum
5 dated August 9th, 1993, apparently from J.C. Frier to
6 a Mr. Potts. Do you see that document?

7 A Yes.

8 Q Have you seen it before?

9 A Yes.

10 Q Did you play any role in its preparation?

11 A No.

12 Q What is it?

13 A This is a memo from J.C. Frier, who I do
14 not know, to Mr. Potts, who is the -- he's an
15 assistant director of the FBI. And it's basically a
16 summary of the events from the July 21st through the
17 conclusion of, through August 4th or 6th or whatever
18 it was, through the conclusion of the investigation
19 that we did. And I recognize a lot of it because I
20 think a lot of it is the same as the summary of the
21 report that I wrote and sent over to headquarters.

22 Q Your assumption is that Mr. Frier may have

1 used the summary of the report that you wrote in the
2 preparation of this memorandum?

3 A He did.

4 Q How do you know that?

5 A Because I compared the two and they're the
6 same.

7 Q When you say they're the same, you mean
8 verbatim?

9 A Essentially, yes, for most of it.

10 Q So when I asked you earlier if you played
11 any role in its preparation and you said yes, that's
12 how you meant you played a role in it, that your
13 report --

14 MR. FISHMAN: I think he said no.

15 THE WITNESS: I said no.

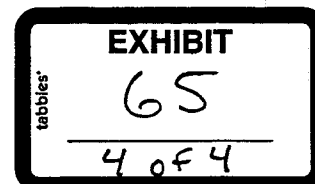
16 MR. JOHNSON: Same question.

17 BY MR. JOHNSON:

18 Q This comes from your report, to the best of
19 your knowledge?

20 A Yes.

21 Q In fact, why don't we make this a little
22 easier. Why don't you refer me to the document



1386

FD-302 (Rev 3-10-82)

- 1 -

FEDERAL BUREAU OF INVESTIGATION

CONFIDENTIAL

Date of transcription 3/21/94

TODD STACEY HALL, of the Fairfax County, Virginia, Emergency Medical Service (EMS), was interviewed at the Massey Building, 4100 Chain Bridge Road, Fairfax, Virginia. After being apprised of the identities of the interviewing agents and the purpose of the interview, HALL thereafter provided the following information:

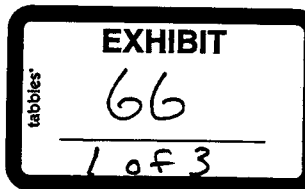
HALL has been employed with the Fairfax County, Virginia, EMS for approximately eight years. In the course of his employment, he has attended the Basic Firefighter School for a duration of 16 weeks, the Suppression and Emergency Medical Service School, and has a received certification in the handling of hazardous materials. HALL has also taken career development classes to include Fire Officer School, and a school regarding fire suppression methods. In addition to the training set forth above, HALL is also trained as an Emergency Medical Technician (EMT). In the course of his career, HALL has responded to two suicide calls, to include the dispatch to the death scene of VINCENT FOSTER, JR. Both suicides were the result of gunshot wounds. The first suicide to which HALL responded was a gunshot to the head.

HALL was not contacted by the press regarding his participation in the dispatch related to the death of VINCENT FOSTER. Fairfax County Fire Department Standard Operating Procedure (SOP) mandates EMS personnel forward press inquiries to the Public Information Office (PIO). HALL noted that his Fire Lieutenant, BILL BIANCHI, put forth an order that EMS personnel who responded to the dispatch regarding FOSTER, were not to talk to the press. This order resulted from contacts GEORGE GONZALEZ and COREY ASHFORD had with the press regarding FOSTER's death.

On July 20, 1993, HALL's firehouse received a dispatch from a third party call regarding a suicide at Fort Marcy Park. The dispatch advised that the victim was located in front of a cannon in the park. Upon arriving at the park, HALL noted that officers of the U.S. Park Police (USPP) were already on site. HALL's unit split up into teams with HALL accompanying a USPP

Investigation on 3/18/94 at Fairfax, Virginia File # 29D-LR-35063
by _____ Date dictated 3/20/94 OIC 000041

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000247

1387

FD-302a (Rev. 11-15-83)

29D-35063

CONFIDENTIAL

Continuation of FD-302 of Todd Stacey Hall , On 3/18/94 , Page 2

officer. The Park Police officer located FOSTER's body and indicated the location to HALL. He did not know the name of the officer who was with him when the body was located. HALL checked FOSTER's body for a pulse and noticed that the decedent had a gun in his hand. While HALL was checking the pulse, the Park Police officer had walked away from the body. HALL called the officer back to the body and based upon a lack of pulse on the part of the victim, and seeing the gun in FOSTER's hand, assumed it was a suicide.

According to HALL, FOSTER's body was laying on its back with a gun in the right hand. No description was provided regarding the caliber of weapon. HALL noted that there was blood on the collar of FOSTER's shirt believed to be on the left side. HALL thought there were only a couple of drops of blood on FOSTER's shirt collar. FOSTER's body was further described to have had flies moving in and out of the mouth. No other blood was noticed on the body.

FOSTER's right hand was located under his right thigh. HALL noted that the initial dispatch did not mention a gun being involved. FOSTER was dressed in a white shirt, necktie and dark blue pinstripe trousers. After departing FOSTER's body, HALL began to look around the area of the death scene.

During a cursory search of the area surrounding FOSTER's body, HALL thought he heard someone else in the woods. He subsequently saw something red moving in the woods. He was unable to determine if it was a person. He never saw anyone else in the vicinity of the death scene other than EMS personnel and Park Police officers. HALL noted that RALPH PISANI and one other EMS member thought they saw two males getting dressed in a wooded area adjacent to the site.

HALL was aware that the following EMS personnel were at the death scene:

JAY IACONE, Heavy Rescue Squad
RALPH PISANI, Engine Driver
RICHARD ARTHUR, Medic Unit
JENNIFER WACHA, Engine or Ambulance
BILL BIANCHI (came to scene later/truck unit)
COREY ASHFORD, Ambulance EMT Technician
GEORGE GONZALEZ, Medic 1/Officer

OIC 000042

EXHIBIT

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000248

CONFIDENTIAL

29D-35063

Continuation of FD-302 of Todd Stacey Hall . On 3/18/94 . Page 3

HALL noted that ARTHUR and GONZALEZ accompanied him on the medic unit.

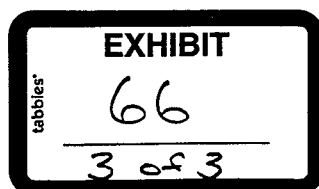
HALL advised that the search teams were broken down with himself and an officer of the Park Police. RALPH PISANI knew where the cannons were located at the park; he departed in one direction; HALL's team headed in an opposite direction. HALL believed there are four cannons in the park.

Upon arriving at Fort Marcy Park, HALL noticed an unoccupied brown car with the engine running parked in the lot. He noted that the car was not parked in a space. After coming out of the woods, HALL noticed a second vehicle that contained a suit jacket matching the trousers worn by FOSTER. HALL noted that the jacket was laying on the back seat of the car. The car was a foreign make, possibly a Toyota Corolla. The car was further described to be a 4-door sedan, light blue in color. Also contained in the car was a briefcase; HALL believed FOSTER's tie may have been in the car, but he was not sure.

Back in the parking lot, HALL heard JAY IACONE make a remark regarding the victim. IACONE said the victim must have been one of CLINTON's buddies from Arkansas. HALL noted that the aforementioned vehicle with the suit coat and briefcase bore Arkansas tags. By this point in time, the rest of the EMS personnel were gathered in the vicinity of the vehicle bearing the Arkansas license tags. It was noted that USPP officers were also on scene.

HALL remembers the dispatch regarding FOSTER being received at approximately 6:00 or 7:00 p.m. The weather that day was described as being hot.

HALL was not coached or given any instructions regarding how he should respond when contacted by investigators regarding FOSTER's death.



OIC 000043

000249

**DEPOSITION OF TODD S. HALL
IN RE: S. RES. 229**

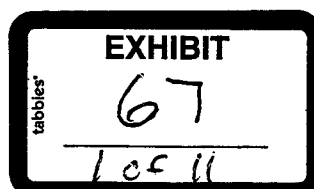
WEDNESDAY, JULY 20, 1994

**U.S. SENATE,
COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS,
Washington, DC.**

Deposition of TODD S. HALL, called for examination pursuant to notice of deposition, at 5:55 p.m. in the Dirksen Senate Office Building, Room G-59, before DAVID L. HOFFMAN, a Notary Public within and for the District of Columbia, when were present:

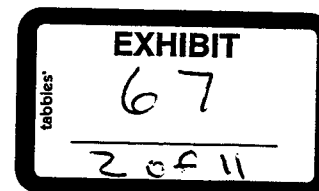
GLENN F. IVEY, Esq.
Majority Counsel
ROMAN E. DARMER, III, Esq.
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Committee on Banking, Housing, and Urban Affairs
U.S. Senate
On behalf of the Committee.

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12000 Government Center Parkway
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Fairfax, Virginia 22035-0064
On behalf of Deponent.



- 1 A The day of the Foster suicide? Yes.
- 2 Q You were working a a firefighter that day?
- 3 A Correct.
- 4 Q Who were you working with?
- 5 A McLean Fire Station, Company One, driving the
- 6 medic.
- 7 Q Who was the driver, who was the medic?
- 8 A I was the driver. George Gonzalez was the
- 9 officer in charge, and Richard Arthur was the second man.
- 10 Q Did there come a time you got a call to go to
- 11 Fort Marcy Park?
- 12 A Correct.
- 13 Q About what time of the day was that?
- 14 A I'd say it was after 5:00.
- 15 Q Did you go to Fort Marcy Park?
- 16 A Correct.
- 17 Q How long did it take you to get there?
- 18 A I would say less six minutes.
- 19 Q What did you see when you got to Fort Marcy Park?
- 20 A What did we find, or what did I see. As soon as
- 21 we got there?
- 22 Q What did you see as soon as you got there?

- 1 A Nothing but a park.
- 2 Q Any cars there, any people there?
- 3 A Yes. There were some cars parked there. I don't
- 4 recall seeing any people, no. I don't recall seeing any
- 5 people.
- 6 Q What did you do after you got to the park?
- 7 A We had a call that came in, suicide in front of a
- 8 cannon, so we searched the grounds for a body in front of a
- 9 cannon.
- 10 I think we were met there by the Park Police.
- 11 Q You said it was a call for a suicide?
- 12 A Yes, possible. No, well, somebody lying in front
- 13 of a cannon, possible DOA. I forgot what the initial call
- 14 was.
- 15 Q But something like that?
- 16 You knew there was a possibility of a dead person
- 17 there.
- 18 A Yes. I really don't recall. I came in, but it
- 19 was something in front of a cannon, a person lying in front
- 20 of a cannon unconscious or something like that.
- 21 Q After you got there, what did you do?
- 22 A We searched the grounds, we split up. Some of us



000251

1 went this way, some that way, looking because I was worried.
2 There was only four cannons there so we split up. Me and
3 one of the Park Police, we was together, and I think he
4 pretty much knew the vicinity of the cannons.

5 Q So you went with a Park Police officer.
6 Do you remember his name?

7 A No.

8 Q Any other fire personnel or emergency personnel
9 that went with you and the Park Police officer?

10 A No. We split up.

11 Q Did you guys find anything?

12 A Yes.

13 Q What?

14 A We found a body lying in front of the cannon, in
15 front of the bank on the slope.

16 Q Do you remember which cannon it was near?

17 A No.

18 E V E N I N G S E S S I O N

19 (6:00 p.m.)

20 BY MR. IVEY:

21 Q About how far was the body from the cannon?

22 A The cannon was underneath the slope. The slope

10

1 was going up and came down, I'd say no more than five feet.

2 Q What did you do after you came across the body?

3 A Well, I was about to go down and check the pulse
4 when the police was going, he was heading back. I was about
5 to check the pulse when I noticed a gun in his hand and I
6 advised the police officer, maybe, I think we have a suicide
7 here. Maybe you better come back.

8 He came back.

9 Q So you saw the gun?

10 A Yes.

11 Q Do you remember which hand it was in?

12 A The right hand.

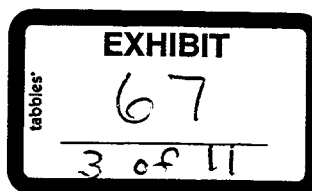
13 MR. IVEY: Can you mark these two for me?

14 (The document referred to was
15 marked for identification as
16 Deposition Exhibit Number 2.)

17 (The document referred to was
18 marked for identification as
19 Deposition Exhibit Number 3.)

20 BY MR. IVEY:

21 Q Let me break off a second and ask you this
22 question.



1 Did you talk with the FBI at all?

2 A Yes.

3 Q Do you know if they took notes of what you said
4 or wrote down what you said at all?

5 A Yes.

6 Q Let me give you Exhibits Two and Three, which are
7 notes apparently from your conversations with the FBI.

8 (Handing document to witness.)

9 (Pause.)

10 BY MR. IVEY:

11 Q I'm not exactly sure where we were.

12 When you came upon the body, you noticed that he
13 had a gun?

14 A Yes.

15 Q Do you remember what the gun looked like?

16 A No, just a gun.

17 Q But you remember it was in his right hand?

18 A Yes.

19 Q Did you see any powder on his hand?

20 A No, I didn't check.

21 Q Okay.

22 How were his arms?

1 Where was the hand that held the gun?

2 A Straight out and at his side.

3 Q At what point, who decided that he was dead?

4 A I guess it was George or one of the other medics.

5 Q Did you think he was dead when you came up on
6 him?

7 A I was just going to check.

8 Q Normally what do you do when you check to see if
9 somebody's dead?

10 A I check his pulse, is carotid pulse.

11 Q The carotid pulse, what is that, neck?

12 A Yes.

13 Q Anything else?

14 A Well, by the time I got to check that, I saw the
15 gun. I stood straight up, told the police to come back. By
16 then, George and other guys had gotten there.

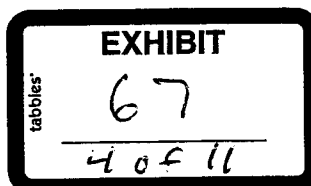
17 Q Did you touch him?

18 A I don't recall whether I touched him or not.

19 It's been so long. But I probably did. I was checking for
20 it. Then I noticed the gun. Once I noticed the gun --

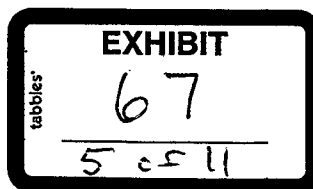
21 Q Did you pull up his pants legs at all?

22 A No.



- 1 Q Did you notice any of this pooling of blood,
2 cyanotic, or something?
- 3 A All I recall is a couple of drops on his collar.
4 That's all I recall.
- 5 Q Do you remember seeing any blood on his face?
- 6 A No. I remember his face being straight when I
7 was going to check because whatever turned his head, from
8 the pictures I saw, there was more blood than I recall
9 seeing. And that may be because, in the pictures, his head
10 had been turned and that may have caused the bleeding, the
11 blood to flow.
- 12 Q Do you remember seeing flies or anything?
- 13 A Yes, flies coming off of his mouth.
- 14 Q Did you see anything that might have led you to
15 think that he'd been in some sort of struggle or a fight?
- 16 A No.
- 17 Q Was there anything unusual about the scene in
18 your view?
- 19 A No.
- 20 Q Did you see any entrance or exit wounds?
- 21 A It seemed like I seen one, the mouth, the teeth
22 had black marks on it when I found it.

- 1 Q Did you hear anyone say, well, he's dead?
- 2 A I don't remember hearing it. I pretty much
3 assumed he was.
- 4 Q Did anybody else touch him that you recall
5 seeing?
- 6 A The medics, George and Arthur, when they got
7 there.
- 8 Q They touched him?
- 9 A I assume they did. That's their job.
- 10 Q Did you see them touch him?
- 11 A No. I pretty much backed off and let them take
12 over.
- 13 Q Why is that?
- 14 A Because they are the medics. I'd done my job.
- 15 Q Were there Park Police officers there too with
16 you?
- 17 A Yes.
- 18 Q What were the Park Police officers doing?
19 Do you remember how many there were?
- 20 A I know there was the one who was with me, and
21 then I remember a female officer arriving and I think, by
22 then, I was starting to take equipment back to the unit.



1 unit. I hung around right out there in the parking lot with
2 the unit.

3 Q So you were waiting out there in an area where
4 you couldn't see the body?

5 A Right.

6 Q Did you see people go over to Mr. Foster's car
7 and try to go in it?

8 A No.

9 Q Or in a car?

10 A No, they didn't try to go in it, but we were
11 standing by his car. We was looking at it.

12 Q Do you remember seeing anything in there?

13 A Yes. We saw a suit coat and I think his
14 briefcase, something like that. I know a suit coat was in
15 there and we pretty much matched it up with his pants to
16 determine that it was his car.

17 Q In the interview with the FBI, you said you
18 thought you saw someone else in the woods?

19 A Yes, I seen something. It was woody and I seen
20 something go past, like a car.

21 Q Do you think you know what it was?

22 A Yes. It was route 123. It was right down

1 beneath us because when we went back to the scene, I said,
2 what's down there, and it was probably a car or truck that
3 drove past the bushes.

4 (Pause.)

5 Q Do you remember seeing an unoccupied car with the
6 engine running in the parking lot?

7 A Yes. It was speculation between all of us that
8 it was the car in the lot running.

9 Q That it was running?

10 A Well, I did hear it running. I can't say for
11 positive it was running, but I knew someone else said it was
12 running.

13 Q But you remember seeing a car there?

14 A Yes, there was one parked, yes.

15 There was two or three cars there, but there was
16 one there, and I don't recall, I can't say whether it was
17 there when we left or not.

18 Q Do you remember someone saying, I guess it was
19 Iacone saying that the victim must have been one of
20 Clinton's buddies from Arkansas?

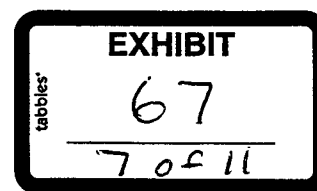
21 A Yes.

22 Q Was he serious or was he joking around?



- 1 Q Were the polaroid or 35 millimeter?
 2 A All I know, they were eight by tens.
 3 Q How was the quality of the photos?
 4 A It was pretty good.
 5 Q Pretty clear?
 6 A Yes.
 7 Q Do you recall whether there were any photographs
 8 showing the hands of the body?
 9 A Yes. There were photographs showing the whole
 10 body.
 11 Q What position were the hands in in the
 12 photographs?
 13 A Straight down. I recall.
 14 Q Palms up or down?
 15 A I think it was down.
 16 Q Is that how you remember the hands when you were
 17 at the scene?
 18 A Yes, pretty much. I think they was even on the
 19 side pretty much.
 20 Q Which side are you indicating?
 21 A This side may have been like this.
 22 Q You mean off on the side?

- 1 A Left side.
 2 Q And the right side?
 3 A I would say the right side was all the way down.
 4 Q Which way was the palm?
 5 A I recall the palm being down.
 6 Q Could you see the gun in the palm?
 7 A In the picture you could see it.
 8 Q What about when you were at the scene?
 9 A It was woody and not until I bent over. When I
 10 looked down, I seen it.
 11 Q Was the gun obscured at all by the body, by the
 12 leg?
 13 A Maybe his pants leg was covering it a little bit.
 14 Q But you couldn't tell what kind of gun it was?
 15 A No.
 16 I seen it was a gun. I just didn't try to
 17 determine what type it was.
 18 Q Do you recall doing any kind of search of the
 19 mouth or the mouth area?
 20 A No.
 21 Q Do you recall touching the skin at all?
 22 A I recall attempting to check the carotid pulse.



000256

1 I can't recall whether or not I was successful.

2 Like I said, once I seen the gun, I went straight
3 back up.

4 Q So you don't recall what the skin might have felt
5 like?

6 A No, I don't recall.

7 Q You mentioned there were a number of cannons in
8 the park. When you walked into the park from the parking
9 lot, can you describe if you passed any cannons or their
10 location as you were searching for the body?

11 A I know we went to one. I can't really recall
12 where exactly in the park. I don't know the park that well,
13 but I know we passed one. There wasn't anybody there.

14 And the second one was the correct cannon.

15 Q Correct because the body was there?

16 A Yes.

17 Q Do you recall how far apart the two cannons were?

18 A I think there was about a hundred yards around
19 the curve. I know the first curve, you walked back further
20 and the second cannon, there it was.

21 Q So a fair distance?

22 A Yes.

1 Q Did you look around the area of the first cannon
2 at all?

3 A Yes.

4 Q Is that near a hill, as well, a slope?

5 A Yes. I think it is on a slope.

6 Q When you say the hand that you saw at the scene,
7 was it holding the gun, was it gripping the gun?

8 A I couldn't tell. I didn't get that close. All I
9 know is I saw the gun.

10 Q And you said you saw some blood on the face?

11 A I recall seeing a couple of drops of blood on his
12 collar and that's it.

13 Q Do you recall if it was wet or dry?
14 Could you tell?

15 A It had pretty much soaked into his collar.

16 Q When you say his collar, on the right, which
17 side?

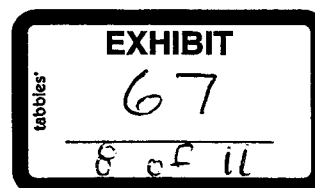
18 A I recall it being over here.

19 Q Which side are you indicating?

20 A My left, his left.

21 Q His left side.

22 Do you remember seeing any other blood on any



000257

1 other part of the clothes?

2 A No.

3 Q What about on the face?

4 A No.

5 Q Do you remember seeing any kind of debris or
6 trash or bottles around the body?

7 A No, just a bunch of grass and trees.

8 Q You weren't there when the medical examiner
9 arrived?

10 A No.

11 I wasn't aware if he came. Like I say, I left.
12 If he came while we was in the parking lot, I didn't see it,
13 but I don't recall seeing him.

14 Q In one of your reports to the FBI, you said that
15 you made a cursory search, or it says that you made a
16 cursory search of the area around where the body was.

17 Do you recall that?

18 A No.

19 Q Do you recall if you looked around the area and
20 sort of assessed the area?

21 A Yes. I looked around, once I saw the car go
22 past, I said, is there a path around here or something, and

26

1 people wasn't listening to me. So the Park Policeman didn't
2 answer. He was talking on the radio.

3 Q So that's when you went back to the parking lot?

4 A That's when the people started to arrive, the
5 rest of the crew. I hung around about five or so minutes,
6 talking with Jennifer and Chris Watson. Then I started
7 back.

8 Q You said the Park Police officer asked you your
9 name. Do you remember who that was?

10 A No.

11 Q Did they ask you any other questions?

12 A No.

13 Q Did anyone ever come and ask you for a statement
14 or talk to you about what you saw?

15 A The FBI.

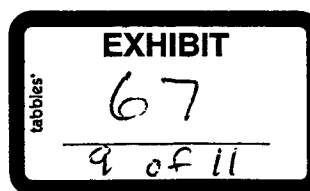
16 Q But between the time and the date of the FBI
17 interview, you didn't talk to anyone?

18 A No.

19 Q Did you ever read Gonzalez's report that he
20 filed?

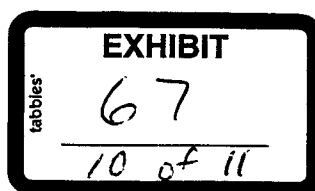
21 A No.

22 Q Did you ever get contacted by any of your



1 superior officers about this case?
 2 A Lt. Bianchi.
 3 Q About not talking to the press?
 4 A Right.
 5 Q What about any other senior officers?
 6 A No.
 7 Q Do you know if anyone else on the detail was
 8 contacted?
 9 A No, I don't.
 10 Q Do you remember any more details about what you
 11 saw in the car in the parking lot in Foster's car?
 12 A All I know for sure I saw was his suit coat. And
 13 I thought I may have seen, he may have had a briefcase or
 14 something in there.
 15 Q But you don't recall any details?
 16 A No, just that it was a car with Arkansas tags.
 17 Q Front seat or back seat?
 18 A What, the coat?
 19 Q The coat or the briefcase?
 20 A I don't recall which seat.
 21 Q I'm just looking for anything you might recall
 22 wherever.

1 Do you remember what color the bag might have
 2 been?
 3 A No.
 4 Q You don't remember anything about the size?
 5 A No.
 6 Q Did you say that anyone tried to open the door
 7 while you were there?
 8 A No, not by forcible entry, no.
 9 Q Did you know if the car was locked?
 10 A I don't recall. I may have.
 11 (Pause.)
 12 Q Tell me again, what was the position of the head
 13 when you first saw the body?
 14 A I'd say it was in a line, looking up into the
 15 sky.
 16 Q In the pictures you saw with the FBI?
 17 A Yes. It was turned to the side, and blood was
 18 coming out of its mouth.
 19 Q It was turned to?
 20 A I think it was turned to the right.
 21 Q So when you saw it, it was straight up. Did you
 22 notice blood off the side?



1 A No. All I noticed was a couple of drops on the
2 collar.

3 Q No big stains in his shoulder or anything?

4 (Pause.)

5 MR. DARMER: Give me just a second, officer.

6 (Pause.)

7 BY MR. DARMER:

8 Q When did you first learn who the dead person was?

9 A I think we had returned to the station. When we
10 returned to the station, I heard who it was.

11 Q Was it just around the station, or do you recall
12 someone telling you?

13 A I recall I think it was Lt. Bianchi saying it was
14 one of Clinton's aides. When we got back, the truck had to
15 respond back down to the scene which was Lt. Bianchi was the
16 officer in charge.

17 And when he got back, I think he pretty much told
18 us that it was one of Clinton's aides.

19 Q Were you carrying a radio at the scene?

20 A No.

21 Q I want to make sure I'm clear on one thing that
22 you said. You're sure you saw a coat in the back of the car

30

1 or in the car?

2 A Yes.

3 Q Do you recall anything about the coat?

4 A I recall that it was the same color as his, it
5 matched his pants that he had on.

6 Q What color was that?

7 A I think it was blue pinstriped.

8 Q It was part of a suit?

9 A Yes.

10 Q What else do you think you recall seeing in the
11 car?

12 A Maybe his tie and a briefcase.

13 Q Do you recall any details about them?

14 You don't know if it was front seat or back seat?

15 A I can't recall.

16 Q Any colors of the tie or the briefcase?

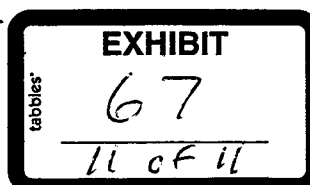
17 A No.

18 Q How about any papers on the floor of the car?

19 A Well, there was some trash, I think. I can't
20 tell you what it was.

21 MR. DARMER: No further questions.

22 MR. IVEY: All done.



000260

6/21

[Redacted]

12:50 PM

Viewed Cle in
Buckets - 7 to 10 ft.
for approx 10 seconds

• "possibly covered by
hair - length of hair
set 2/20/23 + can't
state pos. temp

• less similar
• hair style, length
& color.

• face - no - nose
round possibly

Cle - in car with
celebration -

Cle - ~~stated~~ he
could not be seen
[Redacted] up with hair

EXHIBIT
68

372
000261

②

He made his way up to where body was by out door
 when he saw it and C present were
 U.S.P.S. Fan shell
 One or two F.C. Medics

Can't recall if EMT were in process of checking body for
 life signs or whether they'd already done that. F
 was also ^{standing} in vicinity of body. But recall he did not
 see get off an EMT's disturbance ~~was~~ ^{was} a man body.
 He went back to corner to get Police tape to seal
 in surrounding the scene. Investigative officers were present
 He's not an investigator - his job is to manage ^{scene}
 He took a look at body from ~~the~~ ^{the} a position at the
 top of beam looking down ~~at the body~~ ^{at it}. But recall
 he was approx 3 feet from head - At this
 time he did not move down. He beamed a light

He died, from
 the top of the
 beam. more
 to right and
 then to left
 of body to
 get better
 view
 off from skull
 more than
 him there was a
 young man
 so he might be
 beam body in
 front

bottom beam side as from the bottom of beam
 (did not open head)
 Hooks fore recall small amount of blood around mouth
 After he was shown photo of head he stated that the
 photo ~~did not~~ ^{did not} resemble what he saw in front of him part of scene
 can't recall any blood around a sewing at base
 eyes were open he recalls head being st back
 with eyes body st up. To best of his recollection
 saw weapon on his right hand.

Wearing white shirt, no tie dress pants dark color
 256

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/6/94

Officer JULIE LYNN SPETZ, U.S. Park Police, was advised of the identities of FBI Agents _____ and _____

She was further advised that the agents wished to interview her re her knowledge of events surrounding the death of Vincent Foster at Fort Marcy Park on July 20, 1993.

Officer SPETZ stated that on the date in question, at approximately 5:30 p.m., she was at the Glen Echo station and overheard the dispatcher calling Officer FRANZ FERSTL in Car 211 to respond to Fort Marcy Park regarding a dead body. She advised that Officer FERSTL was also at the Glen Echo station at the time and both she and he, in separate cars, proceeded to Fort Marcy Park, heading South on the GW Parkway and then turning across the divider into the park. She stated that to her knowledge, they were the second and third U.S. Park Police officers at the scene, adding that Officer KEVIN FORNSHILL had already arrived.

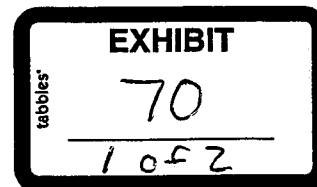
As she drove into the park entrance, she noted a disabled vehicle off to the right on the ramp leading into the parking lot. Driving into the Fort Marcy parking lot itself, she observed two cars; one to her left toward the front of the lot which she later learned was FOSTER's vehicle. Officer SPETZ cannot recall the color or make of the vehicle but does remember it had Arkansas tags on it. Officer SPETZ stated that a second car, white in color, was in the rear of the parking lot, but she is unable to recall any other identifying data regarding this car. She stated that emergency vehicles (ambulance and fire truck) were also in the parking lot.

Officer SPETZ advised that FERSTL was in a marked car ahead of her and proceeded directly to the parking lot. She stated that she initially stopped at the entrance to the park, got out of her car, and placed crime scene tape across the park entrance. Then she proceeded into the parking lot itself. Officer SPETZ stated that as she arrived in the parking lot, emergency medical technicians and firefighters were coming back to their vehicles and she assumed they had already been up to the death scene. She stated that she spoke briefly with the firemen,

Investigation on 5/2/94 at Washington, D.C. File # 29D-LR-35063

OIC 000219

by _____ Date dictated 5/6/94



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FD 302a (Rev. 11-15-83)

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29D-LR-35063

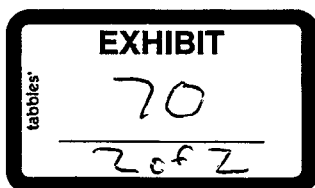
Continuation of FD-302 of JULIE LYNN SPETZ , On 5/2/94 , Page 2

stating that one remarked to her that he did not think it was a suicide, adding words to the effect that he'd seen a number of suicides and the body was "too clean." Officer SPETZ stated that when first pulling into the parking lot, she did observe the Park Police vehicles but she did not see any officers and assumed that any officers on the scene, including FERSTL, were up at the death scene. She decided on her own to check the park in an effort to locate occupants of vehicles that were parked in the parking lot, noting that at this time, she was unaware that one of the cars belonged to the victim, FOSTER.

Officer SPETZ stated that she located a path at the rear of the lot heading down in a southerly direction, away from where the body was located. She stated that she followed this path into the woods for approximately 75 yards when she noticed a man and a woman sitting down, apparently talking. She stated that as best she recalls, they had a blanket with them and were located in a partial clearing in the woods. She remembers asking them how long they had been there but cannot recall their reply. She did ask them if they had seen any other cars or individuals in the lot when they arrived, stating that one of them remarked that they had seen a white van in the parking lot. Officer SPETZ was unable to recall any other details they might have provided to her. She stated that she asked them to come up to the parking lot where they identified their car and provided background information concerning themselves.

Officer SPETZ was given an opportunity to review the Park Police report in an effort to refresh her memory. She stated that to the best of her recollection, she did not make a written report. She did locate some handwritten notes of hers, located in the U.S. Park Police report, setting forth background information concerning a white Nissan, Maryland tag and background information regarding its occupants.

Officer SPETZ stated that she never did go up to the location where the body was found. She stated that after providing the background information concerning the occupants of the white Nissan to Investigative Officer CHERYL BRAUN, she left Fort Marcy Park and returned to her patrol.



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Continuation of FD-302 of Richard M. Arthur, On 3/16/94, Page 2

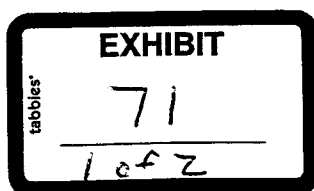
hooking up emergency electrocardiological equipment to check for heartbeat, but that the judgement of the responding EMTs can override the necessity of doing any of these things if the body is obviously dead. If, in the judgement of the responding EMTs, it might be a crime scene, they are to try not to touch anything and call the police. With regard to the press, they are not supposed to talk with the press unless they receive permission to do so. ARTHUR advised that he always refers press persons to police personnel on the scene and does not engage in conversation.

ARTHUR advised that he was one of the individuals who responded to the call to Fort Marcy Park on the George Washington (GW) Parkway on the day the body of what was later identified as VINCENT FOSTER JR. was discovered on July 20, 1993. He is comfortable that all proper Fire and Rescue procedures were followed on that day.

With regard to the press, ARTHUR advised that he has had no contact with anyone from the press. In fact, he was told by his superiors at Fairfax Fire and Rescue that they were not allowed to talk to anybody whatsoever about the incident, except to confirm what was in their log book--namely, the time they were dispatched, the time they called in that they were available for the next call (called "put in service"), the incident number, and the address. ARTHUR said that he was aware that SERGEANT GEORGE GONZALES, who responded with his to the scene, admitted to having had spoken with the NY Post.

ARTHUR advised that the original dispatch was to respond to a call that a body had been found near a cannon in Fort Marcy Park on the GW Parkway. TODD HALL drove and SGT GONZALES, the ranking official in the response team, and ARTHUR accompanied him. A fire engine preceded them. As they entered the park there was an automobile (believed to be red) with it's hazard lights flashing. Once into the parking area, there was nobody to meet them to show them where the body was, so they split up into two groups to search down two separate paths leading off the parking lot.

ARTHUR and an unidentified individual from the fire engine took the righthand path (as one is facing the Potomac River) and found no body, but did come upon a couple



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Continuation of FD-302 of Richard M. Arthur, On 3/16/94, Page 3

ARTHUR estimated that from where the couple was they could have heard a shot, but would not have been able to observe anything in or heard voices from the vicinity of where FOSTER was found.

As ARTHUR returned to the parking area, GONZALES and HALL were running back also from the lefthand path and yelled that they had found the body. ARTHUR went down the path to take a look. He located FOSTER's body somewhat off the path, located such that if you were just walking the path you could miss it. Police were following ARTHUR to the scene. In ARTHUR's judgement, FOSTER was obviously dead and so he did not check for a pulse. He noted that the body was lying perfectly straight--like it was "ready for a coffin". A gun was lying on the ground under his right hand, with the barrel partially under FOSTER's thigh. He remembers the gun as being an automatic weapon of approximately .45 caliber. He noted what appeared to be a small caliber bullet hole in FOSTER's neck on the right side just under the jaw line about half way between the ear and the tip of the chin. He did not note anything else he thought might be a bullet hole. He did not touch the body and remained at a distance of two to four feet from it. He did not observe anybody touch the body. He did not observe anybody move the gun. As he left to return to the parking area, the U.S. Park Police were roping off the scene.

Once back in the parking area, the U.S. Park Police took all the EMT's names. He observed them gaining access to a cream colored car with a suit jacket and tie in it, looking for identification of some sort. ARTHUR was on the scene approximately 30-40 minutes.

ARTHUR does not recall seeing any footprints or disturbed earth around FOSTER's body. The deceased's clothes were not disheveled, the hill area was clean and there was nothing that struck him as unusual, except for the following things, which make him doubt that it was a suicide: the straight attitude of the body, the apparent caliber of the gun appeared bigger than the hole he thought he had observed just under the jawline, and that he remembered the barrel of the gun as being under FOSTER's thigh (possibly half-way). It also struck him as odd that the person who called authorities did not remain there

EXHIBIT

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 03/17/94

Jennifer Morgan Wacha, of the Fairfax County, Virginia, Emergency Medical Service (EMS), was interviewed at the Massey Building, 4100 Chain Bridge Road, Fairfax, Virginia. After being apprised of the identities of the interviewing agents and the purpose of the interview, Wacha thereafter provided the following information:

Wacha has been employed with the Fairfax County, Virginia, EMS for approximately one and a half years. She has also served as a volunteer firefighter with the Kensington, Maryland Fire Department for one and a half years and as a firefighter in Tolland, Connecticut, for two to three years. Wacha is employed on a part-time basis at the Maryland Fire and Rescue Institute, Berwyn Heights, Maryland. She performs clerical duties in the field of program development.

Wacha's fire and rescue training includes the 22 week rookie school, concentrating on fire suppression, and she also completed the Emergency Medical Technician (EMT) Program. Wacha is currently working on a fire science degree at both Montgomery and Northern Virginia Community Colleges.

In the course of her career, Wacha has responded to only one suicide victim scene, that being the death scene of Vincent Foster, Jr.

Wacha was aware that the press had contacted the fire station regarding the death of Vincent Foster, Jr. To the best of her knowledge, those calls were directed to the Public Information Office (PIO) of the Fairfax County Fire and Rescue System. According to Wacha, the Standard Operating Procedure (SOP) for the Fairfax County Department of Fire and Rescue is that all press inquiries will be forwarded to the PIO. Wacha was instructed by her fire lieutenant, Lieutenant Bianchi, that she could not acknowledge to the press her participation in response to the emergency call regarding the death of Vincent Foster.

Wacha does not recall how the Foster emergency call was

Investigation on 03/11/94 at Fairfax, Virginia File # 29D-LR-35063

by _____ Date dictated 03/14/94

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Continuation of FD-302 of Jennifer Morgan Wacha . On 03/11/94 . Page 2

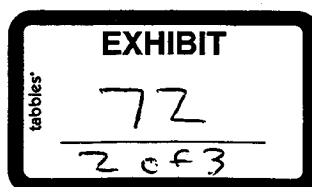
dispatched to her unit. Upon arrival at Fort Marcy Park the scene for Foster's death, Wacha recalls her unit, Engine 1 and its personnel, plus a second team of medical personnel, split up to search for the body. Wacha's search team included Ralph Pisani, Richard Arthur and James Iacone. Pisani served as the driver, Iacone was the officer in charge of the unit and Wacha was in back of the unit on top of the ladder apparatus. The medic unit accompanying Wacha's engine unit was staffed by George Gonzalez who was the officer in charge, Todd Hall, the driver, and Richard Arthur who rode in the back of the medic unit. Gonzalez and Hall comprised the other search team. Wacha was aware that a truck crew and an ambulance crew went back to the death site after her unit's departure to retrieve the victim's body.

Upon entering Fort Marcy Park, Wacha recalls seeing one car in the parking area with its hazard lights on. She remembers that the engine was running, noting the car was unoccupied. There was also a second vehicle bearing Arkansas license plates that was parked closest to the park entrance. Contained in that vehicle was a suit jacket. There was also a third car in the lot, no details were recalled. Upon entering the parking area, the medical unit was behind the vehicle to which Wacha was assigned.

The search at the death site for Foster's body lasted approximately 10 minutes. Wacha's team may have travelled a distance of one-quarter to one-half mile.

According to Wacha, the medical team located Foster's body. Upon receiving a radio message from the other search group, Wacha's team headed over to Foster's body. After arriving at the site of the body, members of the team visually inspected Foster. There was one U.S. Park Police Officer at the scene upon the arrival of Wacha's team. After the visual inspection of Foster's body, Wacha and the members of her team went back to the engine. It was established during the inspection of Foster's body that the victim was deceased. One indicator of the victim's status included flies on the body, giving it the appearance that Foster had been lying there for a period of time. Wacha thought

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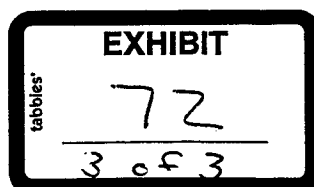
Continuation of FD-302 of Jennifer Morgan Wacha , On 03/11/94 , Page 3

blood may have been on the victim's mouth as well as on his shirt. She could not recall the volume.

Wacha returned to the parking area and saw a vehicle with Arkansas license plates. Several jokes were made regarding the Clinton Administration and it was further alluded to that the victim was someone who had not gotten a job in the administration. The vehicle with the Arkansas license plates was described to be "a business kind of car". Wacha further described the car to have been an older model Subaru.

Upon visual inspection of the death scene, Wacha recalls a gun being in Foster's right hand. The thinking among EMS personnel on scene was that Foster's death appeared to be a suicide. Wacha did not recall hearing U.S. Park Police personnel make any assessment regarding the death of Foster. Wacha was aware that Fairfax County Fire and Rescue SOP regarding emergency medical care, requires that the victim's vital signs would be checked. Results of the vital signs check would factor into the determination as to whether or not the victim should receive resuscitation efforts. Foster was dressed in a white or light blue shirt and dark colored trousers.

Wacha did not recall any substantive discussion among her co-workers regarding Park Police handling of the Foster death scene. She had not recalled any complaints among her co-workers regarding the handling of the death scene.



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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/17/94

Dr. DONALD DAVID HAUT, M.D., was interviewed at his office, 312 South Washington Street, Alexandria, Virginia, telephone number (703) 549-4400. Present during the interview was Dr. JAMES LUKE of the Armed Forces Institute of Pathology. After being apprised of the identities of all parties participating, and the purpose of the interview, HAUT thereafter provided the following information:

According to HAUT, if there is an obvious homicide or suicide being investigated by the Fairfax County Police Department, it is not necessarily standard operating procedure to have a medical examiner respond to the scene.

HAUT advised that in the course of his tenure as a medical examiner, the United States Park Police (USPP) always requested a medical examiner to respond to death related crime scenes. This was only the second instance in which HAUT was summoned to the scene of a USPP death investigation.

On July 20, 1993, the USPP called regarding a suicide at Fort Marcy Park. HAUT recalls receiving this information on the evening of the 20th. Upon arriving at Fort Marcy Park, USPP officers escorted HAUT to the body of VINCENT W. FOSTER, JR., which was located approximately 150 yards into a wooded area at the park. While at Fort Marcy Park, HAUT recalls seeing a red compact car that he believes belonged to VINCENT W. FOSTER, JR.

Upon arriving at the body, HAUT recalls that the decedent was located on a foot path over a hill. HAUT and a USPP officer raised FOSTER to look at the back of the head. The reason for looking at the back of the head was to locate an exit wound. He recalls seeing blood around the back of FOSTER's head. HAUT thought that the incident had occurred several hours before his arrival in that flies were moving in and out of FOSTER's mouth. HAUT pronounced FOSTER dead at the scene.

In examining the back of the head HAUT describes the blood being clotted. Although the volume of blood was small, HAUT did recall that the blood was matted and clotted under the

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Investigation on 4/12/94 at Alexandria, Virginia File # 29D-LR-35063

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by _____ Date dictated 5/16/94

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29D-LR-35063

Continuation of FD-302 of Dr. Donald David Haut , On 4/12/94 , Page 2

head. HAUT pulled on FOSTER's right shoulder turning him to the left in order to conduct his examination. HAUT recalls FOSTER's head being close to the summit of the hill, further noting that it was more on the slope of the hill than at the top of the hill.

FOSTER was recalled to have been dressed in expensive looking shoes, slacks, and a shirt. HAUT believes the weapon was removed prior to his arrival on scene. He did not recall seeing a gun in FOSTER's hands.

Upon arrival it appeared that the death scene investigation had been conducted by two female Park Police officers. USPP officers were in the process of examining the car believed to have belonged to FOSTER. The process of examining the auto also included dusting the car for fingerprints. HAUT recalls that the USPP had an Arkansas driver's license belonging to FOSTER and it was known that he was employed at The White House. According to HAUT, there were no paramedics on the scene while he was at the death site.

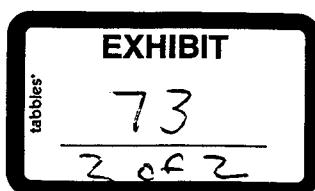
FOSTER's body was still in place when HAUT departed the death scene. HAUT left the scene approximately 30 minutes after his arrival. HAUT noted that FOSTER's body was rigid and he did not see blood on FOSTER's face. HAUT recalls looking at FOSTER's hands but did not notice or may not have been looking for powder burns on the hands during his examination. HAUT recalled that although blood and hair were matted to the back of FOSTER's head, there was no dirt on the wound and that the dirt at the death site was hard packed. HAUT recalls a cannon being located 10 to 20 yards behind the victim.

After examination of the back of FOSTER's head, HAUT believed that the wound was consistent with a low velocity weapon. HAUT recalled a separate case in which a .25 caliber rifle caused a much more devastating wound to the victim. HAUT did not feel FOSTER's demise was anything out of the ordinary.

HAUT has been a medical examiner for 12 years responding to approximately 100 unattended deaths. Of that number, it was believed that 12 were suicides or homicides. A number of the suicides were the result of gunshots to the head.

HAUT advised that he is the only medical examiner for Fairfax County. He did not have any role in the autopsy of

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 2/26/94

COREY L. ASHFORD, of the Fairfax County, Virginia, Emergency Medical Service (EMS), was interviewed at the office of the FEDERAL BUREAU OF INVESTIGATION (FBI), Northern Virginia Metropolitan Resident Agency, 7799 Leesburg Pike, Falls Church, Virginia, South Tower, Suite 200. The interview of ASHFORD was jointly conducted by RODERICK L. LANKLER, MARK J. STEIN and FBI Special Agent LANKLER and STEIN are attorneys from the Office of the Special Prosecutor - WHITEWATER. After being apprised of the identities of the parties participating in the interview, ASHFORD thereafter provided the following information:

ASHFORD has been employed with the Fairfax County, Virginia, EMS for approximately five (5) years. His current position is that of EMS Technician. The EMS is part of the Fairfax County Fire Department. ASHFORD has been a paramedic with the EMS for the last two and one half years. ASHFORD's duties as an EMS Technician include providing basic first aid and provision of assistance to persons with cardiac problems. ASHFORD's medical training apart from standard fire department training, includes paramedic classes taught at GEORGE WASHINGTON UNIVERSITY.

The day of the call for emergency response related to VINCENT FOSTER, JR., ASHFORD was assigned to take FOSTER's body to the morgue at FAIRFAX HOSPITAL. ASHFORD could not recall specifics related to the call other than remembering the response occurred during daylight hours.

Upon arriving at the incident scene, ASHFORD recalls seeing a number of UNITED STATES PARK POLICE (USPP) vehicles parked in the vicinity of the entrance to Fort Marcy Park. Also recalled, was a red, Honda Civic. ASHFORD was later informed that the Honda belonged to the victim, FOSTER.

ASHFORD walked from the parking area located at the park to the incident scene. Once on scene, he viewed FOSTER's

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Investigation on 2/23/94 at Falls Church, Virginia File # 29D-LR-35063

by _____ Date dictated 2/26/94

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Continuation of FD-302 of COREY ASHFORD . On 2/23/94 . Page 2

body lying on the back side of a hill. FOSTER was on his back. ASHFORD noted that FOSTER's right hand was somewhat under the right thigh/buttock area of the body. ASHFORD did not recall seeing any blood on FOSTER's body, noting that he was not looking for it at the time.

It was initially believed by ASHFORD that FOSTER was the victim of a murder. This belief was based upon FOSTER's body having been located in a wooded area. ASHFORD was not told by anyone at the incident scene that FOSTER committed suicide.

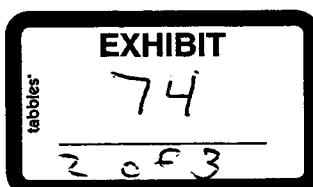
FOSTER was described to have been clothed in a white shirt and gray pants. There was no gun in either of FOSTER's hands. ASHFORD assumed that the weapon had been removed by USPP personnel at the incident scene.

ASHFORD and the driver of his EMS vehicle placed FOSTER's body in a body bag for transport to the morgue. ASHFORD lifted FOSTER from behind the shoulders, cradling the victim's head. The driver of the EMS vehicle lifted FOSTER from the area of his feet as the corpse was placed into the body bag. ASHFORD did not recall seeing any blood while placing FOSTER in the bag. ASHFORD did not recall any blood getting on his uniform or on the disposable gloves he wore while handling the body. The name of the EMS vehicle driver could not be recalled.

After the body was placed into the EMS vehicle, FOSTER was transported to FAIRFAX HOSPITAL. A physician at the hospital pronounced FOSTER dead after taking a pulse at the victim's wrist. ASHFORD did not recall seeing any blood during this evaluation. After the body was pronounced dead at the emergency entrance to the hospital, ASHFORD and his driver deposited the body at the FAIRFAX HOSPITAL morgue. ASHFORD later filed a report detailing the incidents as outlined above.

Circa January 1994, ASHFORD was contacted by a reporter of THE NEW YORK POST, newspaper. The reporter asked him if he had seen any blood on FOSTER's body. ASHFORD informed the reporter that he had not seen any blood. When asked for his opinion regarding whether the death was a suicide or not, ASHFORD declined further comment. It was noted that CATHY SIMMONS (phonetic), the Public Affairs Officer for Fairfax County, had authorized ASHFORD to make a statement to THE NEW YORK POST, reporter.

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Continuation of FD-302 of COREY ASHFORD . On 2/23/94 . Page 3

ASHFORD has not been interviewed by any other law enforcement agency regarding his actions surrounding the emergency response call related to FOSTER. ASHFORD did not discuss a possible gunshot wound to FOSTER's head, with GEORGE O. GONZALEZ, JR., a Sergeant with the Fairfax County EMS.

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NATIONAL PARK SERVICE

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

JUVENILE CASE 0

SYSTEM AREA GNP Ft. Marcy	MONTH OCCUR: 07	DAY: 20	YEAR: 93	CLASS. INCIDENT NUMBER 13 05 02
NATURE OF INCIDENT Death Investigation	RECLASSIFICATION OF INCIDENT			

7 RESULTS OF INVESTIGATION

ITEM

Scene Investigation

Upon my arrival on the scene at approximately 1835 hours, I was advised by Ofc. J. Spetz that the following individuals had been in the area of Ft. Marcy for about the last hour. The individual were identified as:

[] Woodbridge, Va. 22192 Home phone: []
W/M DOB Work phone: []
Soc. # [] and

[] Crofton, Md. 21114 Home phone: []
W/F DOB Work phone: []
Soc. # []

[] and [] advised that they had been in the area of Ft. Marcy since approximately 1700 hours. [] and [] advised that they had not noticed anything unusual. [] and [] advised that they had been sitting in the wooded area of the south side of the parking lot. I asked [] and [] what other vehicles were in the area and they advised that when they arrived there had been a small car with a man without a shirt sitting in it, who left shortly after their arrival. They also described a white van with blue lettering, and advised that they observed the driver get out and empty trash. The final vehicle that they observed was a light colored older model car that pulled in next to the deceased vehicle. [] said that the driver put the hood up and then walked up into the woods for a while and then returned to his vehicle and left. [] and [] described the driver as a white male with scrungy hair, but could not provide anything further. [] and [] were driving a white Nissan with MD. registration, which was parked towards the east end of the parking lot. After receiving [] and [] information they were allowed to leave the area.

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8 WARRANTS <input type="checkbox"/> YES <input type="checkbox"/> NO	9 LATENTS <input type="checkbox"/> LATENTS <input type="checkbox"/> PHOTOS	10 ID TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12 PAGE OF PAGES
13 STATUS <input type="checkbox"/> OPEN <input type="checkbox"/> SUSPENDED	CLOSED BY: GARELL	<input type="checkbox"/> EXCEPTION	<input type="checkbox"/> UNFOUNDED	
14 REPORTING OFFICER	SACGE/ID	DATE	15 INVESTIGATOR SACGE/ID	DATE
			16 SUPERVISOR SACGE/ID	DATE

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UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

1 PAGE

REPORTING AGENCY Ft. Marcy (GMP)	MONTH 07	DAY 20	YEAR 93	YEAR 93	CASE/INCIDENT 0310
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CHARACTER OF INCIDENT Death Investigation	DESCRIPTION OF INCIDENT
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7. RESULTS OF INVESTIGATION

On 7/20/93, at approximately 1815, I (Inv. C.A. Modakievic) arrived on the scene of death investigation at Ft. Marcy. Upon my arrival I observed the following units on the scene:

Fairfax Co. EMS Medic 1: Todd Hall
George Gonzoles
Rick Arthur
Engine 1: Ralph Pisani
Jennifer Wacha
Jay Iacone

USPP: car 202 Sgt. R. Edwards
car 213 Off. J. Spetz
car 261 Off. K.B. Fornhill
car 211 Off. F. Ferstle

EMS Medic 1 supervisor George Gonzoles notified me that they had discovered the body of a white male in the wooded area of Ft. Marcy. Gonzoles and Hall checked the body for vital signs and found none. Gonzoles stated that no other medical personnel were disturbed the body in any way.

As I entered Ft. Marcy parking area, I observed a blue Merz 4dr displaying VA tags 120-317 ('94) parked in the entrance drive at the gate. The vehicles emergency flares were activated. The vehicle was unoccupied and returned registered to Jeanne Slade 1142 Randolph Rd.; McLean, VA. At approximately 1900 hrs., a crane from Al's Tour (703) 790-1156 arrived at Ft. Marcy. The driver, Scott Handlett, stated that he had been called by Bob Slade (who claimed to be the owner of the Merz) to pick up the Merz. Handlett stated that he received the call from Slade at approximately 1855 hrs.

At approximately 1940, Fairfax Co. medical Examiner Donald Haut arrived on the scene and examined the body. McLean VFD #1 and Fairfax Co. Engine 1 responded back to the scene to transport the body to Fairfax County Hosp.

I cleared the scene at approximately 2045 hrs.

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14. STATUS	15. OFFENSE	16. INVESTIGATOR	17. DATE
<input type="checkbox"/> OPEN	<input type="checkbox"/> UNCHARGED	CLASSIFIED BY: C.A. Modakievic	7/20/93
18. STATUS	19. OFFENSE	20. INVESTIGATOR	21. DATE
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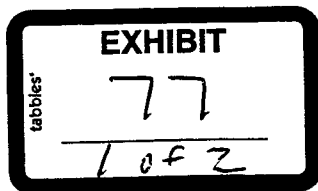
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Page 4 or 5 similar
1 guest similar (address)
due to which South.

in per whole.
307 - per to Rio & duty staff office.
offer in Conjur 1
tripled for starting within of 1 on Parkway.

followed by note 1
"and one left (found by phone to her car
copy on with (found nothing) direct

3 -
city ←
on description



will short tie - mostly white
silk pants - blue or black
short / socks - dark even

didn't recall hood piece

with red sweater in right hand.
did not look for a red sweater.

took a ridge / hill right hand on side
Spring of descent.

Speculation among group - search

→ get a search "intell."

the USPP arrived

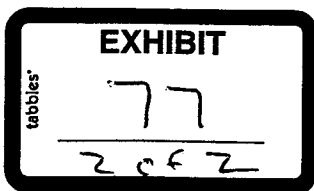
by dispatcher 4/5 after a search

James - group back to search engine.

USPP after what they saw

to get more information.

→ received that info.



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Continuation of FD-302 of JAMES ATWATER IACONE , On 3/11/94 , Page 2

Officer or the duty staff officer.

On the day of the FOSTER incident, IACONE was working as the officer on Engine 1, which was assigned to Station 1 in McLean, Virginia. Engine 1 was dispatched for a shooting victim off George Washington Memorial Parkway in Fairfax County, Virginia. Upon the arrival of FCFRD units at Fort Marcy Park, Virginia, Engine 1 was parked in the upper portion of a parking lot within the park. IACONE directed the crew of Engine 1 to go down one trail, possibly toward Dead Run Creek. He directed the crew of Medic 1 to another area of the park. IACONE now believes that the crew of Medic 1 was directed by a citizen to a body, later identified as that of FOSTER, but he knows no details regarding this citizen such as whether the person was a male or female.

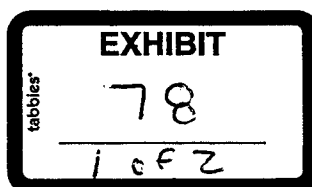
The crew of Engine 1 was comprised of RALPH PISANI, JENNIFER WACHA, and IACONE. The crew of Medic 1 consisted of GEORGE GONZALES, COREY ASHFORD, and RICK ARTHUR. TODD HALL may have been on either Engine 1 or Medic 1, but IACONE is unable to recall clearly HALL's assignment on that day.

While his crew was still out searching the woods, IACONE was notified via radio by GONZALES from Medic 1 that a body had been found. GONZALES provided directions to the body over the radio to IACONE. After IACONE's group arrived at the location of the body, the medics confirmed that there would be no efforts to resuscitate the patient. As the officer on the medic unit, GONZALES would have been responsible for pronouncing the patient deceased. IACONE does not recall seeing GONZALES physically examine FOSTER's body, but he notes that such an examination could have occurred before the crew of Engine 1 arrived at the scene.

IACONE recalls that FOSTER was wearing a shirt which was mostly white but may have had stripes in it, a tie, suit trousers which were either navy blue or black, socks, and dress shoes. IACONE does not recall observing any blood. He saw what appeared to be a revolver in FOSTER's right hand, but he did not look closely enough to see an entrance or exit wound. FOSTER's body was lying in a supine position on a hill, and he was clearly deceased. FOSTER's right hand was by his side, and crew members speculated that FOSTER's death may have been a suicide.

There were no police on the scene when IACONE's crew

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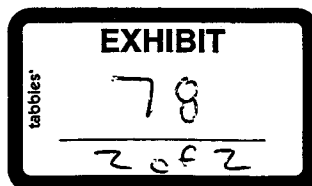
Continuation of FD-302 of JAMES ATWATER IACONE, On 3/11/94, Page 3

initially arrived at the park or when they returned to the parking lot after their search of the woods was abbreviated by word that a body had been found. Officers of the UNITED STATES PARK POLICE (USPP) arrived approximately five to ten minutes later. After the crew of Engine 1 recognized that they could be of no further assistance at the location of the body, the crew members returned to the engine. One of the USPP officers, name not recalled, asked the crew members to remain and also asked for their names and addresses. After providing the requested information, the crew members loaded up their equipment onto the engine and returned to their station. There were four to five USPP officers on the scene when Engine 1 left the park.

When Engine 1 had first arrived in the parking area at Fort Marcy Park, IACONE had observed three or four automobiles in the lot. Among the vehicles, IACONE noted a Honda Accord which was either red or maroon in color and which displayed Arkansas registration plates. After FOSTER's body was found in the woods, IACONE's crew returned to the parking lot and looked inside the Honda. IACONE believes that both HALL and he tried to open the Honda's doors and found them to be locked. One of the FCFRD personnel, possibly TODD HALL, remarked that a suit coat hanging inside the Honda matched the trousers on FOSTER's body. The crew members were looking into the car for evidence of a suicide note but found none. IACONE believes that he mentioned the possibly matching suit coat in the Honda to a USPP officer as the officer was taking the names and addresses of the Engine 1 crew members.

IACONE has no background in conducting criminal investigations, but he did not observe anything he regarded as abnormal while he was at the park. While his crew was still in the lot at the park and prior to the identity of the victim being learned, IACONE made a comment that the victim was probably a friend of President CLINTON and someone who could not get a job with the CLINTON Administration. IACONE based this comment solely on the fact that the Honda which was believed to belong to the victim displayed Arkansas license plates. No one ever identified the victim as FOSTER while IACONE was still at the park. Later that same night, BILL BIANCHI from the ladder truck told IACONE at the fire station that the victim was a member of President CLINTON's staff.

IACONE has not received any instructions or coaching from anyone as to how he should respond to the questions of the FEDERAL BUREAU OF INVESTIGATION (FBI). IACONE has not been



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**DEPOSITION OF KEVIN B. FORNSHILL
IN RE: S. RES. 229**

TUESDAY, JULY 12, 1994

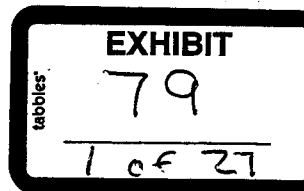
**U.S. SENATE,
COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS,
Washington, DC.**

Deposition of KEVIN B. FORNSHILL, called for examination pursuant to notice of deposition, at 2:30 p.m. in the Dirksen Senate Office Building, Room G-59, before DAVID L. HOFFMAN, a Notary Public within and for the District of Columbia, when were present:

GLENN F. IVEY, Esq.
Majority Counsel
ROMAN E. DARMER, III, Esq.
PAUL GOLDENBERG, Esq.
IRA PAULL, Esq.
JULIE FALLON, Esq.
Minority Counsel
Committee on Banking, Housing, and Urban Affairs
U.S. Senate
On behalf of the Committee.

PHILIP MATTHEW STINSON, SR., Esq.
The Commons at Valley Forge
1220 Valley Forge Road
Suite 45
P.O. Box 809
Valley Forge, Pennsylvania 19482-0809
On behalf of Deponent.

ALSO PRESENT: CATHERINE W. CORCORAN



000281

1 for the Park Police?

2 A At any given time, depending on how many officers
3 are on the street, a sergeant should be the next ranking
4 officer up who'd be in charge of the squad on the street.

5 Then there's a field commander, which would be
6 the commander of all squads on the street at any particular
7 and would go up to captain rank, major, deputy chief, and
8 assistant chief.

9 Q Do you recall who was the sergeant on July 20th?

10 A Sergeant Bob Edwards.

11 Q Okay.

12 Now you said you respond to calls, I guess?

13 A Yes.

14 Q Is that why you went to Fort Marcy Park on July
15 20th?

16 A Yes.

17 Q Do you remember the nature of the call?

18 A It went over the air as a DB, which is our code
19 for dead body.

20 Q Do you know if it had been a 911 call?

21 A I have no idea. It went over the air, and I

22 imagine the Committee is going to have access to the tapes.

10

1 I believe it was through Fairfax County, which means that
2 somebody contacted Fairfax County who, in turn, relayed the
3 call to our department.

4 Q Do you remember about when you got the call about
5 where you were?

6 A Where I was? I was at the entrance, the parkway
7 entrance to the CIA.

8 Q How far away is that from Fort Marcy Park?

9 A I would say less than two and a half miles.

10 Q After you got the call, did you go straight to
11 Fort Marcy Park?

12 A Yes.

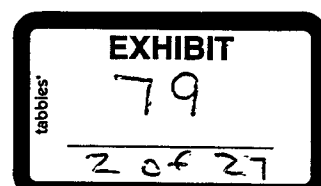
13 MR. STINSON: I think you need to clarify your
14 answer a little bit because he wasn't dispatched to the
15 call. He was on a special assignment at the CIA, and wasn't
16 working as a beat officer on that evening.

17 THE WITNESS: Let me explain the circumstances.

18 BY MR. IVEY:

19 Q Okay, sure.

20 A Ours is a uniform presence at the entrance to the
21 CIA in two different locations. After the shooting that
22 occurred back in February of last year, we provide them with



000282

1 uniform deterrent presence. We have two patrol cars as I
2 say at two entrances to the CIA, one being the parkway
3 entrance where I was at, and then one off of 193.

4 What is that, Georgetown Pike?

5 MR. STINSON: Over at the McLean entrance.

6 THE WITNESS: It's to augment their security
7 force and to make a more clear uniform presence.

8 At that particular day, I was assigned to, as I
9 said, the parkway entrance to the CIA.

10 The call went over the air to the beat officer,
11 which is Car 211, to respond to a report of a DB, which is a
12 dead body.

13 At the time, I believe that beat car was tied up
14 with something. There was some transmission on the radio,
15 and the first available opportunity I had, I requested
16 permission from my sergeant to respond and assist.

17 BY MR. IVEY:

18 Q That would be Sergeant Edwards?

19 A Yes.

20 Q What happened then?

21 A He authorized me to respond, and I went directly
22 to Fort Marcy Park to assist Fairfax County Fire and Rescue.

1 Q Do you know about what time that was?

2 A Six o'clock, perhaps a few minutes after.

3 Q P.M.?

4 A Yes.

5 Q Okay. About how long did it take you to get to
6 the park?

7 A I'd say less than two minutes.

8 Q Who was there when you got there?

9 A Fairfax County Engine and a rescue ambulance
10 vehicle.

11 Q Why an engine?

12 A I don't know what their policy is.

13 Q Do you remember how many people were there about?

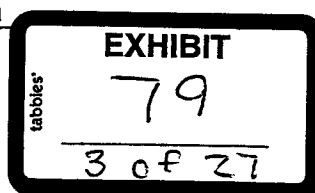
14 A Perhaps six, maybe seven Fairfax County Fire
15 Rescue personnel.

16 Q You were the first Park Police?

17 A I was, yes.

18 Q Do you know if there were any civilians there?

19 A There were a number of cars in the parking lot,
20 and I was told later that some persons on, I think it was,
21 they were doing some repair work on a trail, they were on
22 the opposite end of the park. There's a nature hiking trail



1 that I imagine they were doing some work on.

2 Q So they were workers?

3 A Well, they were volunteers. We have a lot of
4 volunteer organizations that come in and do work around the
5 park areas and work on the trails, trying to keep them in
6 good shape.

7 Q All right.

8 Do you remember the names of any of the six
9 Fairfax people?

10 A The only one that sticks in my mind is Gonzalez.

11 Q Why does that name stick in your mind?

12 A Because it's appeared in print a number of times.

13 Q Do you remember talking with him?

14 A I responded onto the scene, and I'm under the
15 impression that I got there just after they did.

16 I asked them if they'd recovered the body yet,
17 and they said, no, they hadn't gone into the area to look
18 for the body.

19 Originally, when the broadcast went over the air,
20 it made reference to a second cannon in the park area. I
21 wasn't familiar with the location of the second cannon so
22 myself and the rescue workers went into the park area in

14

1 order to locate the body.

2 Q Had any other officers arrived at that point?

3 A No, not yet.

4 Q Did you just fan off individually?

5 A Basically, we went in as a group of three; myself
6 and the two paramedic/EMTs. When we came over the crest of
7 the hill from the parking area, it opens up.

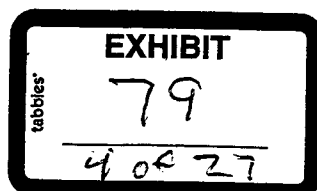
8 Have you folks been into the area?

9 Q No, I haven't been.

10 A It opens up into a large grove-type area.
11 There's Park Service Times telling about the history of the
12 park, there's some benches, perhaps a couple of picnic
13 tables and there's a single cannon out in the middle of this
14 grove area.

15 We checked that area rather thoroughly and we
16 headed north through the park area.

17 Going up an incline, we came to what I originally
18 thought was the end of the park, and the paramedics went in
19 one direction, and I looked to my right and saw that there's
20 what could best be described as a hidden grove that opened
21 up into another park area. And that's where the second
22 cannon was located.



000284

1 I'd say it's secluded. There's a lot of growth
2 that was growing over the path and it was difficult to see
3 this hidden grove.

4 Q Did you go back in there?

5 A Yes, I did. I instructed the paramedics to go
6 one direction, had them check that direction. I said I
7 would check this way, meaning this hidden grove area.

8 I went through the brush and into the grove, and
9 that's where I located the cannon and subsequently the body.

10 Q Take me through. You just got to the second
11 grove or the hidden grove. Then what did you do?

12 A I ran through the brush and sort of fixated on
13 the cannon, saw the cannon, as I approached the cannon. The
14 closer I got, I could see what appeared to be the top of a
15 person's head.

16 Q Let me back you up.

17 You said you ran through?

18 A Yes. Well, we were running because we're dealing
19 with a situation and we don't know if we have a body or not
20 a body, so we want to check to see if the person needs any
21 assistance or not. That's our main concern going through
22 the area.

1 Q So then you see the top of the head?

2 A Yes.

3 Q About how far into this hidden grove was it
4 before you saw the top of the head?

5 A I was running at a pretty good clip so I cleared
6 some foliage, some trees, some, well, brush. I ran towards
7 the cannon, and I would say I was approximately perhaps 30
8 feet away from the cannon when I actually first saw the top
9 of the head.

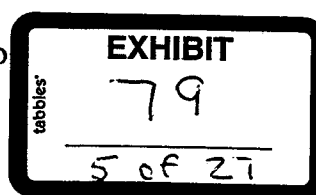
10 Q After you saw the top of the head, what did you
11 do?

12 A I went to what I thought originally was a
13 mannequin. I went to the body and approached it, sort of
14 did a cursory check of the body to make sure it was human,
15 and then I called out to the paramedics and had them respond
16 over.

17 Q When you say you did a cursory check, what does
18 that mean?

19 A Again, originally, when I saw the top of the head
20 from a distance, I thought it may have been a prank or a
21 mannequin or somebody putting a dummy out there.

22 Again, when I approached the body, I wanted to



1 A Yes, they did.

2 Q Was Gonzalez one of the people who came over?

3 A Yes, he was.

4 Q Do you remember how many of the paramedics came
5 over?

6 A Originally there were two, Gonzalez and his
7 partner.

8 (Discussion off the record.)

9 THE WITNESS: I didn't exactly know their names
10 at the time. My assumption was that through the newspaper
11 reports, it was Mr. Gonzalez so it was a team, a black
12 paramedic and a white paramedic.

13 BY MR. IVEY:

14 Q Would it be fair to say that you're not sure of
15 the name, then?

16 A That's fair enough.

17 Q All right.

18 After they came over, do you recall if they
19 touched the body?

20 A They went through some type of what best can be
21 described as an assessment to determine whether or not the
22 body was alive. I don't know what their procedures are to

20

1 make that type of determination, but at one point, the black
2 paramedic or EMT bent over, obstructing my view, and
3 appeared to be -- I don't want to say manipulating -- but
4 working around the area of the body, the head part of the
5 body.

6 My view was obstructed for a short period of time
7 because of the fact that he was crouched or bending over,
8 and he straightened back up. That was about it.

9 Q Tell me about the part that you did see.

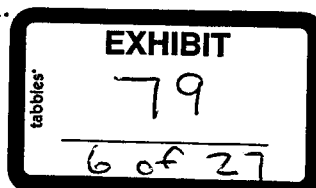
10 Did you see them manipulate the body or touch the
11 body at all?

12 A As far as -- no, I really can't because my view
13 was obstructed. I just know that my presumption is they
14 were working in the area of the head, and since he was bent
15 over, the paramedic, I couldn't say for sure whether or not
16 his hands even touched the body because my view was
17 obstructed.

18 Q So you don't know if they checked for a pulse or
19 not?

20 A I'm assuming they did, but I couldn't say that I
21 actually saw the hands go onto the body and check it.

22 Q After he did this assessment, did he say



1 anything?

2 A He said, do you see the gun?

3 Q To you?

4 A Yes.

5 Q What did you say?

6 A I said, no, I don't see any gun.

7 And the black paramedic said, there's a gun in
8 his right hand, so I sort of strained a little bit, and
9 because of the bushes and the growth on the ground, I
10 couldn't see what he was talking about.

11 Q Did they ever say, he's dead, or anything like
12 that?

13 A That was basically assumed.

14 Q What happened after he pointed out the gun?

15 A They backed off, and the paramedics were joined
16 by, I believe, about four other firefighters.

17 Q At this point, were they hurrying still?

18 A No. Everything was pretty much relaxed after
19 that, the firefighters came to the area, perhaps about four
20 more. There was some conversation between them, the two
21 paramedics who were originally there, and the firefighters
22 who came to the area.

22

1 They sort of looked over the body a little bit,
2 and they were swapping stories amongst themselves.

3 And shortly after that time, they left the area.

4 Q Do you remember what they were talking about?

5 A About different cases they'd handled, basically
6 just telling war stories to each other about this and that.

7 Q Do you remember any of the details?

8 A I remember there was a woman there, a brunette or
9 light brown or blonde hair. And she said something about
10 this is like that case we handled at such and such time, you
11 know.

12 From what I gathered from the conversation, this
13 particular incident keyed on something else they'd responded
14 to at one time, but I wasn't really paying attention.

15 Q Did you see any blood on the body?

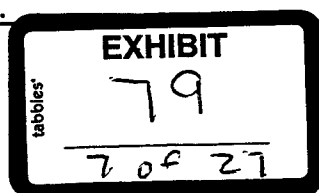
16 A Yes.

17 Q Where did you see the blood?

18 A There was a slight trail of blood coming out of
19 the mouth on the right hand side over the lips and down the
20 chin.

21 Q Any other blood?

22 A Not that I could see, no, sir.



000287

1 Q So after the firefighters and the paramedics
2 talked -- well, about how long did they talk?

3 A Perhaps less than two minutes.

4 Q Did you see them use the radio at all?

5 A Not that I recall.

6 Q Did you use the radio?

7 A Yes, I did.

8 Q At what point did you use the radio?

9 A When I originally found the body and I called the
10 paramedics over, I advised our communications that the DB
11 had been located at the second cannon. And I believe I
12 tried to give directions to any responding officers where it
13 was, since it was such a secluded area.

14 At that particular time also, at one point, I
15 believe the paramedic, when he showed the gun, or tried to
16 show me the gun, saying there's a gun there, I advised
17 communications that it appeared to be a suicide, and then
18 basically there was dead air for awhile until I was
19 relieved.

20 Q And you said that it appeared to be a suicide
21 based on what?

22 A Based on the determination the person was dead.

1 Again, my assumption from the paramedic and that the gun was
2 found in his hand, which is what the paramedic told me.

3 Q Was that on a recorded channel?

4 A Yes, it was.

5 Q Did other officers come after you made that call?

6 A Yes.

7 Q About how long did it take them?

8 A Perhaps less than five minutes.

9 Q Were they all Park Police?

10 A Yes.

11 Q Did you ever seen any FBI agents during that day?

12 A Oh, no.

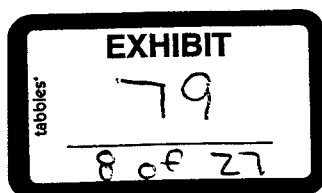
13 Q So other Park Police agents came. Do you recall
14 who they were?

15 A Well, Officer Ferstal, who was the officer who
16 took the initial report, Officer Franz Ferstal, Franz,
17 F-R-A-N-Z, Ferstal, F-E-R-S-T-A-L.

18 He's the officer whose name will appear on the
19 initial report. He was the beat man who handled the
20 incident.

21 Q Which report was it?

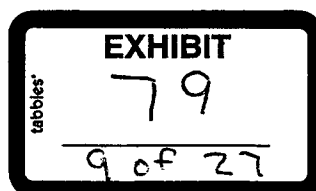
22 A The Park Police Report that initiated this.



1 will take them to get there.
 2 So, in my case, I was the beat officer working
 3 the CIA. I was responding from the parkway at the CIA. So
 4 everyone would assume I was the closest vehicle to respond.
 5 That's why I was given permission to respond.
 6 Q So Edwards was maybe in a cruiser that was
 7 already on the road?
 8 A Yes.
 9 Q Would that be true for Ferstal too?
 10 A Yes. Since he was the beat man that day, he was
 11 somewhere on the parkway on the Virginia side.
 12 Q So the conversation was like relayed through the
 13 dispatcher?
 14 A Yes.
 15 Q Or did you communicate directly?
 16 A I don't believe we went to an alternate channel.
 17 Everything was basically over our primary channel, so
 18 everyone could monitor it.
 19 Q The channels, are they B and D?
 20 A One and Two. We work primarily on channel two.
 21 Q Are both channels recorded?
 22 A I know channel two is. As far as channel one, I

28

1 know they attempt to but sometimes it doesn't work.
 2 Q Is it a weaker frequency?
 3 A Yes.
 4 That electronic stuff, I don't know anything
 5 about.
 6 Q So Ferstal and Edwards come. Did they come
 7 together or in separate cars?
 8 A They came in separate cars. Officer Ferstal,
 9 Franz, he relieved me, and basically took charge of the body
 10 and the crime scene.
 11 Q When you say he relieved you, what do you mean?
 12 A I mean he physically --
 13 Q Took charge?
 14 A Yes, he physically. There's always someone there
 15 until we're relieved by a supervisor or the investigators,
 16 so I maintained the integrity of the crime scene until I was
 17 relieved by another officer.
 18 (Discussion off the record.)
 19 THE WITNESS: Okay, the death scene.
 20 So when I was relieved by Franz Ferstal, I was
 21 cleared to return back to my beat, which I did. On the way
 22 back down to my car, I passed Sergeant Edwards, who was



000289

1 heading up the hill.

2 BY MR. IVEY:

3 Q Then you went back to your car?

4 A I went back to the parking lot. There was a lot
5 of confusion with other cars coming in. My car, Officer
6 Ferstal's car, the sergeant's car, and about that time, the
7 investigators would be rolling in.

8 I believe Officer Hudakovic, who at that time was
9 a plain clothes investigator.

10 Q And he's an investigator?

11 A She, Christine, she was an investigator at the
12 time. She's back in uniform now. She's at the same station
13 you can reach me at.

14 Q Do you remember any of the other officers over
15 there?

16 A No. While I was leaving, the other officers were
17 responding to the scene, the investigators would put
18 themselves out over the radio as being in the area or at the
19 scene.

20 Q At that point, did you leave the scene?

21 A Yes. I was ordered by Sergeant Edwards to return
22 back to my beat.

1 Q Why did he do that?

2 A Again, since it's basically a high priority beat
3 that the uniform presence at the CIA, after February of last
4 year.

5 Q That being when the guy was shot, the guy shot
6 people. Okay.

7 MR. STINSON: Since then, they've maintained a
8 uniform presence during the prime times of the day at both
9 entrance ways and for various reasons, they don't like the
10 cars leaving there. And typically it's a marked car.

11 THE WITNESS: That day it was an unmarked car.

12 MR. STINSON: Because there were no more cars
13 available.

14 THE WITNESS: There were no more cars available.

15 BY MR. IVEY:

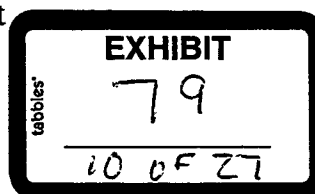
16 Q They had you leaving initially because it was an
17 emergency situation?

18 A Yes.

19 Q And as soon as the emergency was over, they sent
20 you back?

21 A Exactly.

22 Q Did you talk to them at all before you left the



1 scene?

2 A As far as who?

3 Q Ferstal or Edwards?

4 A Basically when Officer Ferstal found me, I said,
5 you know, here you go. And, again, I was told to respond
6 back to the CIA as soon as possible.

7 There was really no information to be exchanged
8 because I didn't touch the body or any part of the death
9 scene.

10 On the way back down the hill, I passed Sergeant
11 Edwards who told me again to respond back to the CIA, since
12 that's a priority beat for us.

13 Q And earlier, you'd said on the radio, it looked
14 like a suicide or an apparent suicide or something like
15 that?

16 A Yes.

17 Q Would that have been on the same channel that
18 Ferstal and Edwards were using?

19 A Yes.

20 MR. STINSON: Can we clarify that? It would have
21 been the same channel that they all monitor and the main
22 dispatch channel, but he's not aware of they may have

1 switched the channel to communicate with each other after he
2 left, so he doesn't know what channel they were listening to
3 at that time.

4 THE WITNESS: Before I left, we were all
5 operating on the same channel.

6 MR. STINSON: They would have monitored, but they
7 may have been in communication with each other or other
8 people on another channel, and he would not have known about
9 it.

10 MR. IVEY: Sure.

11 BY MR. IVEY:

12 Q Did you talk with any of these guys later on?

13 A I passed -- you mean later on?

14 Q I mean later that day? Next week?

15 A I passed Sergeant Edwards on the hill.

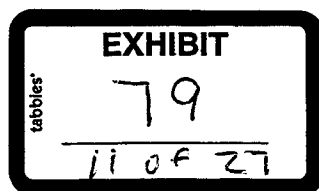
16 Q The hill being?

17 A In Fort Marcy, there's a bit of an incline. I
18 was going down, he was coming up. He was carrying a
19 polaroid camera to take some pictures of the crime scene.

20 Q Who was this?

21 A Sergeant Edwards.

22 Q Okay. Is he a technician?



1 A No. But some of the cars have polaroids; some
2 don't.

3 Q Okay.

4 A I went back to the parking lot. I think I had a
5 conversation with one or two of the firemen, and then I left
6 the area.

7 Q But I mean like how long did your shift go that
8 day?

9 A I got off at 8:00 o'clock that night.

10 Q Then did you go back?

11 A I went back to the station. I engaged in a
12 conversation with Officer Hudakovic whose name I gave you
13 earlier, and I asked if there was any need for me to
14 document my involvement in the investigation, just being the
15 first one to respond to the body. And it was felt that
16 there was really no need for me to document anything.

17 Q That was because?

18 A Basically, I was relieved by the beat man.

19 Nothing unusual had occurred, to my knowledge, and at the
20 time it was investigated, so --

21 Q And as far as the document?

22 A It would basically be just writing a report and

1 signing off on it and sending it through the system.

2 Q Like an incident report? Is that 10343?

3 A Yes, sir.

4 Q As far as procedures for filling those out, are
5 there any rules that you follow?

6 A There are certain guidelines.

7 (Discussion off the record.)

8 THE WITNESS: Basically, what would happen, let
9 me explain the procedures. Officer Ferstal, who's the beat
10 man, originally got the call to respond. He would be the
11 one who would document the report.

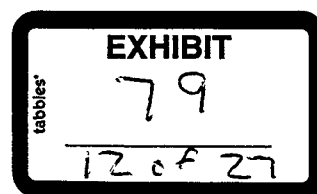
12 All further investigations would be under the
13 case number that he initiated, so everything is going to be,
14 any supplemental reports will be under the case number that
15 he started, he originally wrote.

16 BY MR. IVEY:

17 Q And Ferstal did fill out one of these?

18 A Yes, he did.

19 MR. STINSON: Let me just clarify. Anything that
20 Officer Fornshill would have written would have been a
21 supplement to the original report, so it's not normal
22 practice that he would have written his own full report. It



1 would have been a supplement to the other report and what he
2 testified a few minutes ago, that he was told there's no
3 need for him to do that, so it's not normal practice.

4 Correct me if I'm wrong. I don't want to testify
5 here, but it's not normal practice for them to write a
6 supplement on every incident that they respond to.

7 MR. IVEY: Okay.

8 BY MR. IVEY:

9 Q Let me see if I follow, and you can put it in
10 your own words, if I mischaracterize it.

11 But the beat man that gets the call is supposed
12 to do the report?

13 A Basically that's it.

14 Q As far as the rules for doing the report, I mean,
15 if he goes and there's no incident, does he still have to do
16 a report?

17 A It depends on the type of incident.

18 MR. STINSON: Or non-incident.

19 THE WITNESS: Or non-incident.

20 BY MR. IVEY:

21 Q Let's take it for this one. We don't have to do
22 a hypothetical for this type of incident. We have a dead

1 body. Someone's supposed to do a report, I take it?

2 A Yes.

3 Q That would be the beat officer who gets the
4 original call?

5 A Yes.

6 Q And Ferstal did the report?

7 A Exactly.

8 Q Have you seen it?

9 A I think I looked at it sometime after the
10 incident, perhaps a month or so after the incident.

11 Q As far as you doing a report, it would only have
12 to be or it should only be a supplement to that initial
13 report?

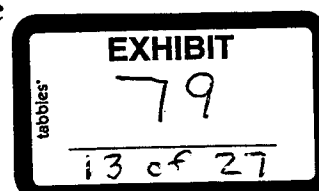
14 A Exactly.

15 Q You have what, CCN numbers, chron numbers or
16 something like that?

17 A Yes.

18 MR. STINSON: But only if he were asked to do
19 that. It's not the normal practice that everybody who goes
20 to a call generates a supplement.

21 What I'm trying to point out is the fact that he
22 did not generate a supplemental report is not out of the



1 ordinary.

2 MR. IVEY: Okay, that's fine. I'm just trying to
3 clarify for the record.

4 BY MR. IVEY:

5 Q That's correct?

6 A Yes.

7 Q And you checked to see if you were supposed to do
8 a report?

9 A I asked, yes.

10 Q And they said, no?

11 A Basically, when you get a chance to see Ferstal's
12 report, if you get a chance to see it, it will read that at
13 such and such time and date, I relieved Officer Fornshill
14 where a dead body was located at Fort Marcy Park, and from
15 then on, any supplemental reports will be using the same
16 case number, and most of what's going to continue on is the
17 investigators, the detectives will be doing supplemental
18 reports under the same case number.

19 Q Did any of the detectives on the scene come and
20 talk to you?

21 A No.

22 Q Do you know who the detectives were?

1 A I'm drawing a blank on that one. There was
2 Investigator Braun, B-R-A-U-N. I think she was associated
3 with it somehow. Her first name is Cheryl.

4 And I know Detective Markland was involved. He's
5 a sergeant now.

6 Q Pete Markland?

7 A Yes.

8 Q John Rolla?

9 A I think that's his first name, yes.

10 Q What about Hume, Charles Hume?

11 A I don't think he responded to the scene.

12 Q None of these guys ever talked to you about the
13 crime scene?

14 A No, not that I know of.

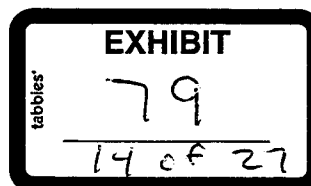
15 Q Not the crime scene, sorry. The scene?

16 MR. STINSON: The death scene.

17 BY MR. IVEY:

18 Q Did you ever talk to any of the other officers or
19 people out there about what had happened?

20 A There was some conversation the next day after
21 the news had announced whose body it was at Fort Marcy, and
22 there was some conversation about that, but there was no



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1 official debriefing in regards to me being interviewed by
2 the detectives or the investigators.

3 Q Did anybody ask you what you thought had happened
4 out there, even informally?

5 A Theories and such? Oh, everyone speculates. I
6 mean, we're sitting around the police station all day
7 throwing theories.

8 Q What were your thoughts at that point? What did
9 you think had happened?

10 A It appeared to me to be a suicide, but I'm not a
11 trained investigator. I'm just a uniformed patrol officer.

12 (Pause.)

13 Q You mentioned the reports or newspaper articles
14 or something that you had seen.

15 What articles did you see?

16 A What articles did I see?

17 Q That mentioned the names.

18 A That I was directly involved in?

19 Q Did you say that you read --

20 A Gosh, I read the Post article, the Washington
21 Post, the New York Post, fine paper that it is, and gosh.

22 MR. STINSON: Are you asking what articles he's

1 read about the incident in general or specific articles that
2 he was mentioned in?

3 MR. IVEY: That he saw in general.

4 THE WITNESS: The large article in the Post, I
5 believe it was August of last year, and then I think the
6 back to back articles in the New York Post, January of this
7 year.

8 BY MR. IVEY:

9 Q At what point did you find out that the person
10 that had killed himself was an aide in the White House?

11 A The next morning when I went into work about 5:00
12 o'clock in the morning, listening to the morning news.

13 Q Did you look through some of these articles?

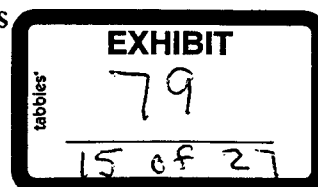
14 A I was curious about it. You mean the actual
15 newspaper articles about right after the death? No. It
16 didn't strike me as being really important at the time.

17 Q At what point did these folks call you, the New
18 York Post?

19 A That was early January of this year.

20 MR. IVEY: Would you mark these for me?

21 (The document referred to was
22 marked for identification as



1 Ferstal's report?

2 A Basically it said that he responded and relieved
3 me and a dead body was found in the park. Our criminal
4 investigations division investigated that, and I agree with
5 that.

6 Q Is that all it said?

7 A Basically, yes. If you get a chance to review
8 the report. I can take a look at it again.

9 Q After you responded to a media contact or
10 request, would you file some kind of report about it?

11 A No.

12 Q Officer, when you first arrived in the parking
13 lot at Fort Marcy, did you notice how many cars there were
14 in the parking lot?

15 A Well, there was the fire engine, which was
16 parked, not in a legal space, that was taking up a good
17 portion of the parking lot. The rescue squad, I believe,
18 was directly behind the fire engine. There were perhaps two
19 to three cars at the far end of the parking lot, and then
20 there was a single car, a Honda, parked closer to the
21 parkway entrance, perhaps pedestrian vehicles, maybe three
22 to four, and then of course the fire engine and my car and

1 the rescue squad.

2 Q I got lost. How many cars total?

3 A Well, let's see, if we're going to count the fire
4 engine and my car, the rescue squad, let's say six, perhaps
5 seven.

6 Q And of those, two of them were official vehicles?

7 A Yes, the fire engine would have been one, the
8 rescue squad would have been one, and my car would have been
9 the third, and then this other, designating them as civilian
10 vehicles.

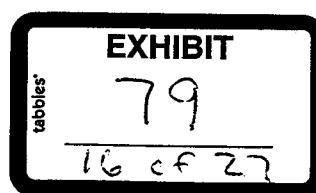
11 Q Do you remember the colors of those civilian
12 vehicles?

13 A Oh, geez. Two of the cars were parked on the
14 other side of the fire engine and my view was obstructed
15 because of the fire engine, and just the Honda, which was
16 parked closest to me, was a dark colored four-door.

17 Q Officer, when you first got the call over the
18 radio concerning the incident in Fort Marcy Park, were you
19 aware that Officer Ferstal had been contacted before that
20 time?

21 A No. I don't recall that.

22 Q When were you first aware that Officer Ferstal



1 A Perhaps not immediately. Maybe a lag time of a
2 few seconds, but I said I've located the DB, something along
3 that line. I gave a location that it was at the far end of
4 the park through some trees or through some brush, and then
5 I switched to the other side of the body, and I took a
6 position there.

7 Q You said switched to the other side of the body.
8 Could you describe what your movement was?

9 A Basically the body's on an incline, and when I
10 originally approached the body --

11 Q Would it be helpful for you to draw this?

12 A If you want, sure.
13 (Witness draws on paper.)

14 BY MR. DARMER:

15 Q Just as best you can, to the extent it'll help
16 you describe, for the record, where you were.

17 MR. STINSON: The FBI has the real photographs.
18 Have they provided those to you? It might help if you had
19 them. That's what we used.

20 MR. DARMER: Whether we have them or not, they're
21 not here.

22 BY MR. DARMER:

1 Q Officer, did you look at aerial photographs
2 during your testimony before the --

3 A That's the only photograph they showed me, sure.

4 This is not to scale. Believe me, I'm not
5 artist. I came through the clearing or into the hidden
6 grove. I took a position on the body's left hand side, and
7 sort of made a cursory inspection of the body.

8 Q How many feet were you away from the body?

9 A I would say within six feet. Again, just a
10 cursory inspection to determine it was indeed human instead
11 of a mannequin which originally flashed through my mind.
12 When I saw the top of the head, I thought maybe it was a
13 mannequin, some sort of a prank.

14 Then I went down and took a position between the
15 cannon and the right hand side of the body.

16 Q Again, how many feet away were you?

17 MR. STINSON: From what?

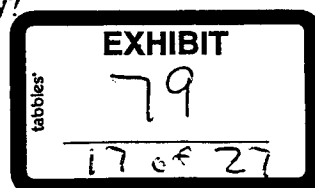
18 BY MR. DARMER:

19 Q How many feet were you away from the body?

20 A Five perhaps.

21 Q Could you describe the topography?

22 A Well, okay.



000297

1 Let's see. If I recall correctly, the area of
2 the cannon is fairly level. It's a earthen embankment.
3 It's a fortification. This is I guess described as a rut, a
4 gully, what would you say?

5 Q Whatever you think it is.

6 A I'm looking at him for inspiration here.

7 Q Don't do that.

8 (Laughter.)

9 BY MR. DARMER:

10 Q Whatever you want to call it, you call it.

11 A A rut. Some type of I guess that's fair enough.

12 Q Was it level?

13 A Here where the body was lying? No, sir, it
14 wasn't. It was at an angle. This would be sort of a wash
15 area down here, the top of the fortification, and the body
16 was at an incline.

17 Q On your drawing, you'd be somewhere over here?

18 A Yes, until I switched and I do recall, when I was
19 on the right side of the body, there was thick undergrowth
20 here. At one point, my right foot was on the incline and my
21 left foot was level. The weight was on my left foot. I was
22 sort of adjusting my weight, and I was on the incline

1 itself, say like this. These are my feet right here.

2 Q So you were looking down towards the body?

3 A Yes.

4 Q What did you see?

5 A Basically I was concentrating on the head and the
6 chest of the body. During my cursory search, cursory
7 inspection, I could see that the feet and the legs, I
8 noticed the legs, the pants were neatly pressed and creased,
9 the shirt was starched and clean, the hands were by the
10 side.

11 Q When you say cursory inspection, this is a
12 cursory visual inspection?

13 A Visual inspection.

14 Q Taken from one place?

15 A From my switching of the area from the left, the
16 majority of my cursory visual inspection was from the right
17 hand side of the body.

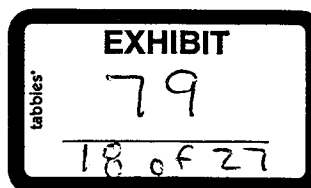
18 Q How did you determine it was a human being?

19 A By going up and just making a visual inspection.

20 Q Did you have an unobstructed view of the body?

21 A Yes, I did, other than the foliage here.

22 My concentration was on the face itself and I had



000298

1 an unobstructed view of the face.

2 Q How high was the foliage?

3 A I'd go as far as to say knee level perhaps, for
4 me, knee level.

5 Q Did the foliage obstruct the face?

6 A Not the face, no, sir.

7 Q What kind of characteristics did you notice on
8 the face?

9 A It was pasty to describe, white, very pale,
10 almost a waxy appearance. The hair was neat, perhaps a
11 little bit of, as far as the part goes, it was just a little
12 of hair messed up on the part. The head was tilted slightly
13 to the right, and the mouth was slightly open. The lips
14 were parted.

15 MR. IVEY: Are you going to have this marked?

16 THE WITNESS: If I'd known that, I would have
17 done a better job.

18 (The document referred to was
19 marked for identification as
20 Deposition Exhibit Number 5.)

21 BY MR. DARMER:

22 Q Was there anything unusual about the ground

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1 around the body that you noticed?

2 A It's funny you should ask that, because I even
3 went so far, I sort of strained, I remember shifting my
4 weight again and looking down the embankment. If I was here
5 on the top of the embankment, I looked down to check and see
6 if there was anything else, any items, any ground disturbed,
7 any twigs broken, leaves disturbed, anything like that. I
8 didn't see anything. Perhaps there may have been, I don't
9 know. I was looking for luggage, clothing, anything at all
10 like that.

11 Q Was there any trash or human debris?

12 A Nothing like that at all, because I made a point
13 of visually looking for that.

14 Q The ground appeared to you to be undisturbed?

15 A Yes.

16 Q Was it still light outside around this time?

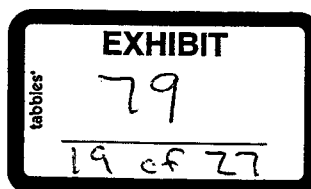
17 A Yes, it was.

18 Q Do you wear glasses or contact lenses?

19 A No.

20 Q Did you say you could see the hands from your
21 vantage point?

22 A No, I didn't see the hands.



000299

1 Q You could see the feet and the face but not the
2 hands?

3 A Yes.

4 Q How long were you looking at the body before you
5 were joined by the EMS personnel?

6 A Geez, a matter of seconds, 15, 20 seconds
7 perhaps.

8 Q Did you look for a gun in the vicinity of the
9 body?

10 A No, I didn't.

11 Q Did you notice anything unusual about the body or
12 the vicinity?

13 A No, other than the fact that there was a body in
14 the park.

15 Q Based on this scene, you determined that this was
16 a suicide?

17 A When the EMS personnel came up and they said,
18 there's a gun in his right hand, do you see the gun. Then
19 I'm straining and looking for the gun. I couldn't see the
20 gun.

21 But when they told me that, I made the
22 assumption, which I shouldn't have, and made a broadcast and

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1 said it appeared to be an apparent suicide.

2 Q So you didn't reach that conclusion on your own?

3 A No, I did not. I didn't even know there was a
4 gun there until the rescue personnel told me, they see a gun
5 in his right hand.

6 Q Could you tell me again what exactly the message
7 was you gave over your walkie talkie?

8 A I gave my beat number over there. I advised them
9 where the location of the body was. Maybe I said confirmed
10 on the DB when I was told by the EMS personnel that they
11 found a gun or they see a gun advising them it appears to be
12 an apparent suicide.

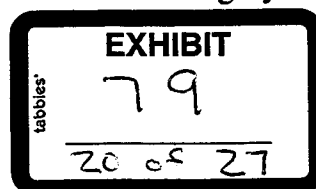
13 That may have been possibly my words, and again
14 the tapes and transmission will have it.

15 Q You didn't necessarily agree that it was a
16 suicide?

17 A I don't know, you know, I can't make a
18 determination like that.

19 Q Officer, are there Park Police procedures for
20 what happens when you're the first officer arriving on the
21 scene of a violent incident?

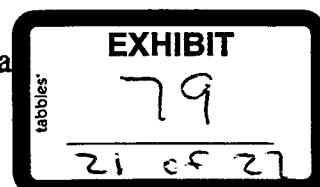
22 A Yes, there are. It's to maintain the integrity



000300

1 Q Who was the officer in charge of the scene?
 2 A At the time I was there? That would have been
 3 Sergeant Edwards.
 4 Q Were you present when the coroner arrived?
 5 A No.
 6 Q Did you observe any photographs taken of the body
 7 while you were at the scene?
 8 A No, sir.
 9 Q Did you see any personnel of any kind carrying
 10 photographic equipment?
 11 MR. STINSON: He already answered that earlier.
 12 Go ahead and answer again.
 13 THE WITNESS: Sergeant Edwards, who was my
 14 sergeant for the day, I passed him on the hill, and he was
 15 carrying a polaroid up the hill while I was coming down.
 16 BY MR. DARMER:
 17 Q Did you see any other officers carrying any other
 18 kind of?
 19 A Not while I was there, no, sir.
 20 Q Did you ever see polaroid pictures of the scene?
 21 A No, sir.
 22 Q Do you know if any pictures were ever taken?

1 A I understand that pictures were taken, polaroids
 2 and 35 millimeters.
 3 Q Did you ever seen an 35 millimeter pictures?
 4 A Never did, not of the scene of the incident. The
 5 FBI showed me the aerial shot of their investigation.
 6 Q But were those 35 millimeter pictures?
 7 A That we took?
 8 Q That you saw with the FBI?
 9 A But those were the aerial shots of the area, you
 10 know, with the overview of the area.
 11 Q Those weren't hand-held 35 millimeter pictures of
 12 the area?
 13 A No.
 14 (Pause.)
 15 BY MR. DARMER:
 16 Q Were you subsequently contacted by any of the
 17 officers connected with the investigation after you left the
 18 scene?
 19 A I bumped into Christine Hudakovic when I was
 20 getting off work at 8:00 o'clock, and I think we just
 21 engaged in conversation. I asked her if I needed to do a
 22 supplemental report. She said it wouldn't be necessary.



00301

1 A Exactly, yes, sir.

2 Q Could you give me some estimation as to how far
3 from the top of the embankment the head of the body was when
4 you first saw it?

5 A From the top of the embankment? Well, I'll tell
6 you, when I was approaching the cannon, originally when I
7 came into the grove area, I could see the top of the head
8 over the embankment. So at some point, say, this would be
9 the top of the embankment, I could see the top of the head
10 and see the hair, so as I was approaching, the closer
11 distance I got into it, the more of the head I could see
12 having me go towards it.

13 Q This line represents the horizon as you were
14 running towards it?

15 A Exactly right.

16 And the cannon would have been over here some
17 distance. That's a pretty bad cannon.

18 (Witness draws on Exhibit.)

19 THE WITNESS: But as I approached, I could see
20 the top of the head. As far as how much, six inches, eight
21 inches, perhaps.

22 BY MR. DARMER:

1 Q When you got to your position, which you remained
2 at until Officer Ferstal arrived, you said you looked down
3 over the body?

4 A Yes.

5 Q I think you testified that you saw some blood?

6 A Yes.

7 Q Could you tell me specifically what blood you
8 saw?

9 A I'm not going to be able to draw a face.

10 Q Just describe it.

11 A The head was, as best I can remember, slightly
12 tilted to the right.

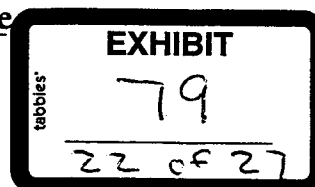
13 You're going to put another Exhibit in here,
14 aren't you?

15 (Witness draws on paper.)

16 THE WITNESS: The lips were slightly parted and I
17 do recall flies coming in the area of the lips, perhaps even
18 entering the mouth itself because the lips were parted.

19 Again, I didn't tilt the head enough, but slightly resting
20 to one side, and there was a trail of blood coming down the
21 corner of the mouth, down to the chin.

22 BY MR. DARMER:



00302

1 Q So when you say tilted to the right, you mean
2 tilted to the left?

3 A Tilted to the right.

4 Q Sorry, to the victim's right.

5 A The victim's right, yes.

6 Q About how many degrees?

7 A I couldn't even estimate. Let's say it was a
8 slight tilt.

9 I was thinking sort of a resting tilt, you know,
10 when a person sort of like dozed off or their driving or
11 something with their head to one side.

12 Q Hopefully they're not driving.

13 A When they're a passenger in the car.

14 MR. STINSON: Not at least within the Park Police
15 jurisdiction.

16 BY MR. DARMER:

17 Q Did you say you could see blood on the face?

18 A Yes. The blood would have been a trail of dried
19 blood because I remember it was flaking too. It was dark in
20 color. The texture was flaking up, you know, kind of
21 curling like paint on a wall sometimes. It was trailing
22 down from the lip or the corner of the lip on down.

1 Q On the right side?

2 A On the right side, yes, in this direction to the
3 chin.

4 Q And how wide?

5 A I wouldn't know what to judge it with.

6 Q Was it clearly visible to you?

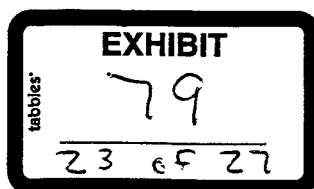
7 A From the distance I was, yes, it was clearly
8 visible. From standing up and that distance away, I could
9 clearly see that, and again, I could see the flies gathering
10 on the lips, and what I thought to be going into the mouth.

11 Q Did you see any other blood on the body?

12 A No, I don't recall any other blood.

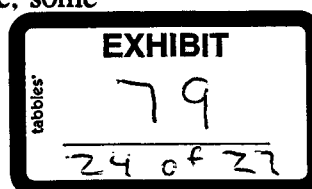
13 Q Could you see the front of the body, as opposed
14 to the head, from your vantage position?

15 A I could see the chest on down, and if I strained,
16 I could see the pants on down. The foliage was such that
17 it kind of was engulfing him, engulfing the body around the
18 area of the arms and the shoulders so that the most foliage
19 was say from this area on down on both sides. But on my
20 toes, I looked down and could see his feet and see his legs,
21 and see a fairly clear view of the chest area and the clean
22 shirt.



- 1 Q Could you see a tie?
 2 A You know, I don't recall a tie for some reason.
 3 That would stick in my mind, but I just don't recall. He
 4 could have had one. I was more focused from the fact that
 5 the shirt was very clean and it was very starched, very
 6 nice.
 7 Q Did it shows any signs of dirt or grass stains?
 8 A Not at all. Even when I did my visual scan of
 9 the body, of the legs, I could still see the clean creases,
 10 very clean, sharp creases on the pants.
 11 Q Was there anything else that you noticed on the
 12 clothing of the body from your vantage point?
 13 A Nothing I recall, sir, no.
 14 (The document referred to was
 15 marked for identification as
 16 Deposition Exhibit Number 6.)
 17 BY MR. DARMER:
 18 Q Officer, after you had radioed from the location
 19 of the body that it was a suicide --
 20 A Appears to be a suicide, I put over the air.
 21 Q Did anyone ask you about it?
 22 A The dispatcher said, I think I may have broadcast

- 1 it over somebody else at the time, so I believe he said, use
 2 radio courtesy or somewhere along that line.
 3 Q What does that mean?
 4 A It means monitor your radio. You may broadcast,
 5 or if there's somebody else who's trying to broadcast at the
 6 same time.
 7 Q What happens?
 8 A If two people broadcast at the same time, you can
 9 get a very jumbled, garbled type of conversation or
 10 transmission.
 11 Q So in a sense, it means the first time you
 12 relayed the message, it didn't get through?
 13 A It may have gone through but my transmission may
 14 have overlapped somebody else's, or somebody else may have
 15 overlapped mine.
 16 Q Was there any conversation between you and the
 17 first EMS workers at the body about the scene?
 18 A They pointed out to me that the saw a gun in his
 19 right hand and their pronouncement, and I can't remember the
 20 exact terminology they used, whether it was he's gone, some
 21 term that they used that indicated that he had passed.
 22 Q Did they use the word "suicide"?



000304

1 THE WITNESS: Some time in late '93. I talked to
2 Phil about it, Mr. Stinson.

3 BY MR. DARMER:

4 Q Can you tell me what the basis for that decision
5 was?

6 MR. STINSON: You can answer as best you can.

7 THE WITNESS: Basically, I was being -- what's
8 the term -- deluged with media inquiries and being basically
9 harassed at home. My family was being harassed and I simply
10 wanted expertise, Phil's expertise as a counselor, as a
11 lawyer, in order to sort of guide me through what I thought
12 was a difficult situation.

13 Things were becoming, how do I say, complicated.
14 I'm not going to say complicated, but I was unsure about
15 there were rumors, obviously, Congressional investigation,
16 special prosecutor, this is all new to me, and I sought his
17 expertise.

18 Q Were you advised by anyone in the Park Service to
19 seek counsel?

20 A Absolutely not, no.

21 Q Did you ever attempt to seek counsel from lawyers
22 employed by the Park Police by the Interior Department?

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1 A Oh, no.

2 Q And you're paying your own lawyer?

3 A Yes.

4 MR. DARMER: I don't have any further questions.

5 MR. STINSON: Almost everything I wanted to
6 cover, you did cover but there are just a few things I want
7 to clarify, if I could.

8 EXAMINATION

9 BY MR. STINSON:

10 Q You testified early on this afternoon that your
11 view of the head of the body was momentarily obstructed
12 while the paramedic person performed some sort of
13 assessment, correct?

14 A Yes.

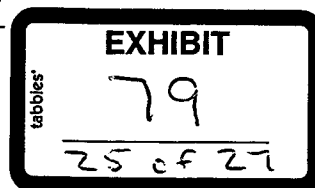
15 Q Prior to the obstruction, you had an opportunity
16 to observe the position of the head?

17 A Yes, I did.

18 Q And immediately after the obstruction, you had an
19 opportunity to view the position of the head?

20 A Yes.

21 Q Was there any change, in your opinion, in the
22 position of the head at that point?



000305

1 A Not that I could see.

2 Q Was there any change, at that point, in the
3 amount of blood or the texture of blood on the face?

4 A No.

5 Q You testified that you arced around the body when
6 you moved from one position to another.

7 Just for clarification purposes, can you explain
8 why you moved around the body in an arcing position?

9 A That was basically to stay as clear from the body
10 as possible in case there was some evidence or something
11 related to the death scene that I didn't want to disturb or
12 destroy.

13 Q You had an opportunity to view the grass and
14 foliage around the death scene and in particular around the
15 location of the body?

16 A Yes.

17 Q Did you notice any damage or damped down grass
18 foliage, broken limbs, or anything like that?

19 A No.

20 Q Any signs of any struggle?

21 A Nothing.

22 Q When you left the death scene and returned to

1 your cruiser, did you have an opportunity, at that point, to
2 observe the vehicles parked in the parking lot?

3 A Yes, I did.

4 Q Did you notice anything odd or peculiar about any
5 of those vehicles?

6 A The vehicle I described earlier, the one I parked
7 the closest to, the four-door Honda, was parked by itself.
8 I walked by it and saw that it had Arkansas tags. Just out
9 of curiosity's sake, I looked inside the window of the
10 vehicle and saw a suit jacket was neatly folded on the
11 passenger seat, and it seemed to match the color and the
12 style of the pants on the body.

13 Q Did you notice anything else on the inside of
14 that vehicle?

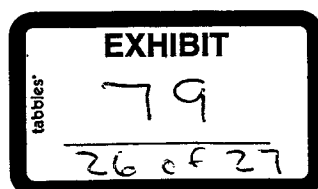
15 A Not that I recall right now.

16 Q Did you run a license check on that vehicle?

17 A I did not personally.

18 Q When you were observing the vehicle, were there
19 any other police officers present?

20 A I was joined, while I was doing my sort of visual
21 inspection of the vehicle, by, I believe, investigator,
22 Officer Hudakovic came up.



000306

1 A Yes, because the jacket on the front seat of the
2 passenger side, or the front passenger seat, as I said, it
3 was similar to the pants.

4 Q Do you remember what it looked like?

5 A Maybe a turquoise or a dark grey, something like
6 that.

7 Q Did you touch the car?

8 A No.

9 Q Did you open up the car?

10 A Absolutely not.

11 Q Did you see anything else besides the jacket?

12 A Not that I recall now.

13 Q Did you see a briefcase?

14 A Possibly. It doesn't stick in my mind right now.

15 I believe our concern at the time was if indeed this was a
16 suicide, that the department was going to be investigating,
17 a visual inspection of the car would determine whether or
18 not there may be a note in there, or some type of paperwork
19 or something, you know, if there was a connection between
20 the car and the person up the hill, maybe make that
21 connection.

22 Q Did you discuss those matters with the detective

1 at the scene?

2 A I may have mentioned something to Chris
3 Hudakovic. I can't recall that.

4 Q Do you recall whether you talked about, this is a
5 suicide, when you were at the car talking to that officer?

6 A I can't recall right now.

7 Q Did you ever talk to anyone about what you saw in
8 the car?

9 A I brought it to her attention. I said, I believe
10 I said, this jacket on the front seat is similar to the one
11 the body has -- I mean, the pants.

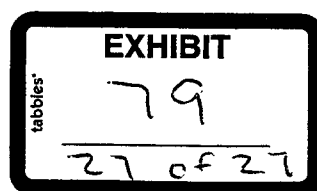
12 Q But you never filed any kind of supplemental
13 report?

14 A No, I didn't, because basically everything was
15 given orally.

16 MR. DARMER: No further questions.

17 MR. IVEY: That's it for me.

18 (Whereupon, at 4:55 p.m., Tuesday, July 12, 1994,
19 the taking of the deposition ceased.)
20
21
22



①

4/28/94

Lieut Patrick Stephen Gavin

H# [REDACTED]

W# 912 267 -2489

AS of 5/1/94 will be living & assigned in Glyco, Geo, C-Glyco
Fed LE Training Center

7/20/93 Shift Commander 1400-2200 shift dispatcher reported
 dead body at FMPK. He was at FMPK at approx 1830
 with Body, possibly Edwards

{
 Off. Kevin Fornshill ^{definitely} was at scene ~~with Body~~
 Sgt. Bob Edwards (curr. aso. Glyco)
Ingrid Christodakovic met him in Pk. Lot looking up to
scene. she'd been there
 Off. F. Forstl

Off. E Mad Person were in Pking Lot but not at scene
 they had already been at scene & determined ^{VF} ~~for~~ was dead.

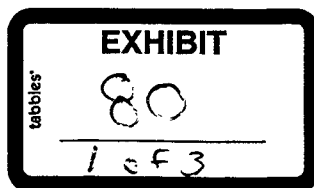
was a disabled car at entrance ramp to ^{separate} lot ~~&~~ Mercedes

Foster's Honda with Ark tags in front of lot

White Nissan in rear of lot

Believes Fornshill (was on scotter) was first to find it
(even before line)

Did a series of 35mm & then polacoids - they could have moved
body in doing photos = not sure if they did 35s or pols first



Called Suede⁴ next day - they could offer no help

EXHIBIT
80
2 of 3

Took a look at body + scene
body was lying right on path that went down the beam
~~down~~ in front of the cannon. Head was ~~on the down side~~
of the. Head ~~was~~ was pointing up toward sky
There clearly was a path (not well worn) going down side of
beam

Reviewed ^{13 photos} pictorial death scene photos Only blood he needs

is trickle coming out mouth - don't need blood coming from

nose - nor does he need blood on shirt. Only made a

cursory look ~~don't mean blood wasn't there. Could have been~~
from the top of beam approx 2 to 3 ft away
to take close look. Photos were taken later

Pointed out in photo that mark of Foster is keener extended indicating

that EMT

Coulda there seen body/head from rear of cannon. would have to be out in front of
cannon to see body
Saw no one move or touch. Nobody

Stayed in area approx 40 45 minutes; in several people ~~with~~
Parking lot unattended, car checked.

By time he left, civil. officer had arrived. (P.S.)
Heri WH ID discovered after he left scene. thought he might be a gov
130

8:10 USPD off of scene between 6:00-7:00

KEYON FOUNSILL - FOUND BODY.

CHRISTINE MOKAROVIC - INV off-duty - PIC ♀

· LT. OAVIN

· SGT. EDWARDS.

· F. FENSTER - BEAT CAR. INT. REPORT.

· DET. CHARLY BRAUN ♀

· INV. JOHN ROUA.

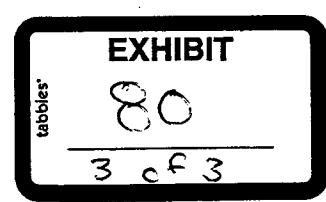
· ID. PELA PETE SIMONAKA.

· JULIE SPETZ - UNIDENTIFIED OFF. ♀ INTERVIEWED WITNESS

DALLING AREA.

PPX PURE.

INV. R. ABT - ♀



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- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/5/94

Officer CHRISTINE HODAKIEVIC, United States Park Police (USPP), Glen Echo Station (telephone number 301-492-6293) was interviewed at the Office of the Independent Counsel, 1001 Pennsylvania Avenue, Washington, D.C. Officer HODAKIEVIC was advised as to the identity of the interviewing agent and informed of the nature of the inquiry. She then provided the following information:

OFFICER HODAKIEVIC advised that shortly after 6:00 p.m. on July 20, 1993, while in an off-duty status and while traveling north on the George Washington Memorial Parkway in her personal vehicle, heard on her police radio that a dead body had been located at Fort Marcy Park. In view of the fact that she was in the proximity of Fort Marcy Park, she responded to this notification, specifically observing an abandoned vehicle on the entrance ramp leading to the Fort Marcy Parking lot. HODAKIEVIC recalls observing a team of three or four EMT personnel in the parking lot, then recalls proceeding to the death scene located at the second cannon at Fort Marcy Park.

OFFICER HODAKIEVIC advised that to the best of her recollection, upon arriving at the death scene, Sergeant EDWARDS (USPP) was basically in charge of the death scene and believes that Officer FRANZ FERSTL was also present. She could not recall any other individuals being present at the time she arrived at the death scene. She does recall being initially briefed by Sergeant EDWARDS, which included being informed that the decedent had a revolver in his right hand, as well as being shown a polaroid photograph of decedent's position at the death scene. She further maintained that after being briefed, she initiated a cursory look at the body from the top of the berm, moving from the left of the decedent's body to the right of the body. She related that in spite of being informed that decedent had a gun in his right hand, it was difficult to actually see the weapon. To the best of Officer HODAKIEVIC's recollection, the decedent was lying on a steep angle, with his head resting just below the crest of a berm. She advised that she did not notice any blood on the decedent's face or on his shirt but recalls his arms being

Investigation on 5/2/94 at Washington, D.C. File # 29D-LR-35063

OIC 000216

by _____ Date dictated 5/5/94

000311

29D-LR-35063

CONFIDENTIALContinuation of FD-302 of CHRISTINE A. HODAKIEVIC, On 5/2/94, Page 2straight at his side.

In addition to viewing in a cursory manner the decedent's location and body description, Officer HODAKIEVIC checked the surrounding area of the death scene, advising that she did not observe any pedestrians within the general death scene area and maintained she did not observe any trampled grass, leaves or vegetation nor any other signs of a struggle at the death scene. To the best of her recollection, she was initially at the death scene for approximately five to ten minutes when USPP Officers JOHN ROLLA, CHERYL BRAUN and RENEE ABT arrived. She immediately briefed these officers regarding her observations to include informing them that a weapon had been located in the decedent's right hand. She advised, however, that she could not recall if Sergeant EDWARDS exhibited to these officers the polaroid photograph that EDWARDS had previously showed to her. She further related that she rotated between the death scene and the parking lot, specifically recalling that on one occasion she was in the parking lot for approximately ten minutes in order to call her residence to advise her daughter of her delay.

In regards to determining subsequent activities at the death scene, Officer HODAKIEVIC stated that she does recall Investigator JOHN ROLLA checking the decedent's body for identification, specifically the decedent's front and rear pockets, but can't recall if any other individual might have touched or rolled the body. To the best of her recollection, she does not recall seeing JOHN ROLLA take any polaroid photographs of the death scene but stated she was present at the death scene when Officer PETER SIMONELLO did take 35mm photographs of the death scene. In light of the fact that Officer HODAKIEVIC rotated between the death scene and the parking lot, she advised that it is quite possible that JOHN ROLLA did take polaroid photographs of the death scene during the period of time she was at the Fort Marcy parking lot.

During one of the periods of time when she was at the Fort Marcy parking lot, HODAKIEVIC recalls the medical examiner arriving, whom she met in the parking lot and escorted to the death scene. At this time, to the best of her recollection, USPP Officers JOHN ROLLA, CHERYL BRAUN and RENEE ABT were the only individuals at the death scene. She recalls the medical examiner inquiring about an exit wound and being informed by investigator JOHN ROLLA that he, ROLLA, had found an exit wound at the back of

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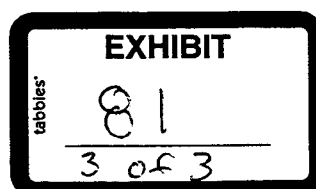
29D-LR-35063

Continuation of FD-302 of CHRISTINE A. HODAKIEVIC, On 5/2/94, Page 3

the head. Investigator ROLLA, according to HODAKIEVIC, positioned himself to the right of the decedent's body and leaning across the body, raised the decedent's head to demonstrate to the medical examiner the pool of blood below the decedent's head. She specifically remembers also that Investigator ROLLA assisted the medical examiner in rolling the decedent's body to the body's left and then to the right so the medical examiner could examine the rear of the body. In this regard, she recalls the decedent's body starting to slide down the hill, requiring both ROLLA and the medical examiner to stop the slide. Subsequent to making these observations, Officer HODAKIEVIC returned to the parking lot and therefore could furnish no additional information regarding the activities of the medical examiner or other Park Police officials at the death scene.

In order to further clarify her observations at the death scene, a series of enlarged polaroid photographs provided by the USPP were shown to her. HODAKIEVIC, after viewing these polaroid photographs, stated that in her opinion they were not identical to the polaroid photograph that was initially shown to her by Sergeant EDWARDS. She reiterated the fact that the photograph Sergeant EDWARDS showed to her was consistent with her observations, specifically that there was no blood on the decedent's face, nor any blood on the decedent's shirt. She could furnish no information or explanation for this discrepancy advising, however, that outside of physically observing Investigator ROLLA check the decedent's front and rear pockets, she did not observe anybody else touch the body prior to the arrival of the medical examiner. When questioned relative to the location of the exit wound on the decedent's head, Officer HODAKIEVIC could not recall if Officer ROLLA had raised the decedent's head prior to the arrival of the medical examiner. She reiterated the fact that she was not present at the death scene on a continuous basis, but during the period she was at the death scene, she could not recall observing Investigator ROLLA take any polaroid photographs.

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000313

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29D-LR-35063 SUB A

Continuation of FD-302 of Richard M. Arthur , On 4/29/94 , Page 2

advised a uniformed, female Park Police officer, that the couple was in the woods. Arthur subsequently directed the aforementioned officer to the couple.

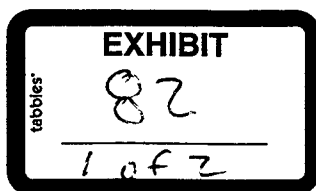
After being informed that a body had been located, Arthur's group returned to the parking area to drop off equipment. Arthur's group then headed up to Foster's body, led by Todd Hall. It was not recalled whether George Gonzalez, part of the team that located the body, returned to the site. :

Upon the arrival at the site of Foster's body, Arthur remembers being told that the victim was dead. Arthur recalls the decedent lying on the ground with his mouth open, noting that flies were moving in and out of the mouth. Foster had a gun located under his right hand, which was partially tucked under the decedent's right leg. Arthur did not believe the gun was a revolver. While observing the body, Arthur stood on the right side near the head, approximately 2-3 feet away from Foster's right hand. Arthur noted that Foster was obviously dead. He did not check for a pulse, assuming that either George Gonzalez or Todd Hall had previously done so.

According to Arthur, there was grass grown on the top of the hill upon which Foster's body rested. He also recalled leaves at the bottom of the hill noting that they were dead leaves as opposed to living vegetation. Arthur did not recall if there was any vegetation or growth around the body.

At one point in inspecting Foster's body, Arthur saw what appeared to be a gun that he thought was a 9-millimeter pistol. This gun was further described to have a straight barrel and, to the best of his memory, he recalls the handle on the weapon being square in shape. The gun was brown and black in color. Arthur noted that Foster's thumb may have been near the trigger of the weapon. Arthur's knowledge of guns includes reading gun magazines and training in the military regarding weapons. He advised that he knows the difference between a pistol and a revolver although he is definitely not an expert on guns and does not consider himself to be an expert in the area of forensics.

Upon arriving at the body, Arthur recalls the head being straight up and down. He did not touch or move Foster while at the death scene nor was he aware of anyone else doing so. He further noted that no one touched or moved Foster while



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000314

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29D-LR-35063 SUB A

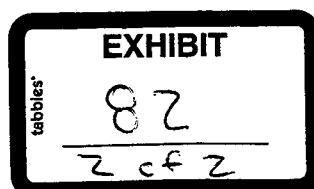
Continuation of FD 302 of Richard M. Arthur On 4/29/94 Page 3

he (Arthur) was at the death scene. Arthur recalls seeing blood on the decedent's right shoulder. He believed that he saw a wound on the right side of Foster's neck near the jaw line. He was of the impression that this wound was caused by a small caliber gun shot and was struck by his recollection that the weapon in Foster's hand was a high caliber weapon. Arthur could not say for certain whether the mark he had seen on Foster's neck was definitely a wound.

Arthur was shown a series of photographs taken by United States Park Police personnel during the course of the death scene investigation. From one of the photos, Arthur did remember seeing vegetation around the body. He did not recall seeing the blood running from Foster's nose and mouth as depicted in the photographs. He did, in fact, say that the blood on Foster's shirt was as he remembered it. After viewing a photograph that depicted a gun located in Foster's right hand, Arthur was of the opinion that if the weapon was in fact a revolver, the cylinder quite possibly could have been covered up. Arthur's assessment was based on the placement of the barrel in relation to Foster's body, as well as the placement of the gun in Foster's hand as depicted by the photograph. Arthur did not see any indication that Foster was moved to the park from a different location.

Arthur advised that he conducted a preliminary investigation into the death of Foster based on the narrative produced by George Gonzalez. Gonzalez's narrative stated that the decedent, Foster, had committed suicide. Arthur noted that he did not trust Gonzalez's judgement and it was this distrust of Gonzalez that prompted his investigation into Foster's death. As part of his investigation, he contacted the George Washington Parkway Management Facility where the 911 emergency phone call was made. Arthur dialed the number of a telephone located at the facility to try to determine the veracity of the initial account of how The Fairfax County Fire and Rescue Department was contacted regarding the death.

In addition to answering questions regarding the Fairfax County Fire and Rescue Department response to the death of Vincent Foster at Fort Marcy Park, Arthur was asked to draw a representation of the Park to the best of his recollection on July 20, 1993. This representation was to include the location of any vehicles Arthur recalled as well as a representation of Foster's body, its location in relation to the cannon at the



OIC 000187

000315

**DEPOSITION OF ROBERT E. LANGSTON
IN RE: S. RES. 120**

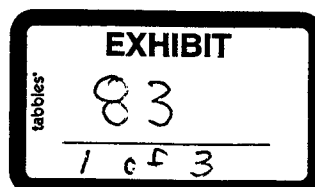
TUESDAY, JUNE 27, 1995

**U.S. SENATE,
COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS,
SPECIAL COMMITTEE TO INVESTIGATE WHITEWATER
DEVELOPMENT CORPORATION AND RELATED MATTERS,
Washington, DC.**

Deposition of ROBERT E. LANGSTON, called for examination pursuant to notice of deposition, at 9:30 a.m. in Room 534 of the Dirksen Senate Office Building, before PATRICIA A. ZUBER, a Notary Public within and for the District of Columbia, when were present:

ROBERT J. GIUFFRA, JR., Esq.
Majority Chief Counsel
NEAL E. KRAVITZ, Esq.
Minority Principal Deputy Special Counsel
GLENN F. IVEY, Esq.
Minority Counsel
U.S. Senate
Committee on Banking, Housing, and Urban Affairs
534 Dirksen Building
Washington, DC 20510
On behalf of the Committee.

MONICA BURKE, Esq.
Attorney at Law
On behalf of the Deponent.



000316

1 A No.

2 Q Any substantive discussions with anyone
3 from the Secretary's office?

4 A No.

5 Q Now, am I correct that Vincent Foster's
6 body was discovered on July 20, 1993 in Fort Marcy
7 Park?

8 A Yes.

9 Q And when did you become aware of the death
10 of Mr. Foster?

11 A Phone call from the field commander
12 notifying me that a suicide victim with White House
13 credentials was found at Fort Marcy Park.

14 Q Who was the field commander?

15 A Pat Gavin.

16 Q That's Lieutenant Gavin?

17 A That's right.

18 Q And was that on the night that Mr. Foster
19 was found dead?

20 A Yes.

21 Q Do you recall what time it was that you
22 were contacted?

1 A It was dark so I would imagine it was
2 somewhere around 9:00 or 9:30, 10:00, somewhere in
3 that area.

4 Q Did he call you at home?

5 A Yes.

6 Q Could you recall anything about the
7 conversation, more about the conversation?

8 A No, he just basically was giving me the
9 facts that a body was found, that it appeared
10 initially to be a possible suicide, that White House
11 credentials were found in the vehicle, and that they
12 had the crime scene sealed, and that investigators
13 had -- were in the process of responding. ID was
14 responding, doing the normal protocol that you would
15 in a situation like that.

16 Q Did you give any direction to Lieutenant
17 Gavin at that point?

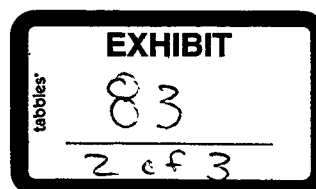
18 A No, it's not necessary.

19 Q Did you make any phone calls?

20 A Yes.

21 Q Who did you call?

22 A I notified Bob Stanton, who was the



1 regional director.

2 Q And do you recall anything about your
3 conversation with Mr. Stanton?

4 A Just let him know that there was a
5 suicide. I would normally, on a normal suicide, I
6 would not notify the regional director but since it
7 involved a White House employee, I just notified him.

8 Q Did you know that it was Mr. Foster at that
9 point?

10 A I think that -- I think that I had the name
11 and I may have had the position, yes.

12 Q Because you were aware this was a high
13 ranking White House official?

14 A Yes.

15 Q Did Mr. Stanton say anything to you that
16 you can recall?

17 A Just keep him advised.

18 Q Did you make any other phone calls that
19 evening?

20 A I don't think so.

21 Q In the course of your conversation with
22 Lieutenant Gavin, was there any discussion of the

1 need to seal Mr. Foster's White House office?

2 A No.

3 Q Did Mr. Stanton -- I mean, did Lieutenant
4 Gavin say anything about any directions being given
5 to White House officials to seal Mr. Foster's office?

6 A I think in a later conversation, not even
7 that conversation, but something about sealing the
8 office, I didn't have a conversation that evening
9 about that.

10 Q Now, Vincent Foster died from a gunshot
11 wound; am I correct?

12 A Correct.

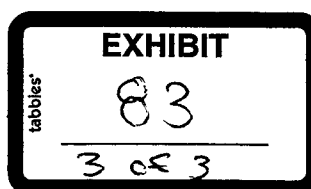
13 Q And this was not a death from natural
14 causes?

15 A Correct.

16 Q Now, in such circumstances, what would be
17 normal Park Police procedure with regard to the
18 investigation?

19 A Seal the crime scene, investigators and ID
20 technicians would respond to process the scene to
21 evaluate, to conduct an investigation.

22 Q And is there a need to determine whether



**DEPOSITION OF DENNIS S. MARTIN
IN RE: S. RES. 120**

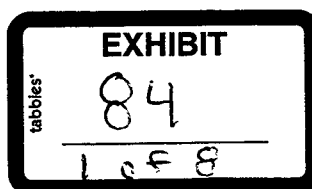
THURSDAY, JUNE 22, 1995

**U.S. SENATE,
COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS,
SPECIAL COMMITTEE TO INVESTIGATE WHITEWATER
DEVELOPMENT CORPORATION AND RELATED MATTERS,
Washington, DC.**

Deposition of DENNIS S. MARTIN, called for examination pursuant to notice of deposition, at 1:35 p.m. in Room 534 of the Dirksen Senate Office Building, before JULIE BAKER, a Notary Public within and for the District of Columbia, when were present:

EVERETT C. JOHNSON, JR., Esq.
Majority Deputy Special Counsel
LANCE COLE, Esq.
Minority Deputy Special Counsel
U.S. Senate
Committee on Banking, Housing, and Urban Affairs
534 Dirksen Building
Washington, DC 20510
On behalf of the Committee.

TIMOTHY M. FOLEY, Esq.
BILL CLANCY, Esq.
U.S. Secret Service
Office of Chief Counsel
1800 G Street, NW
Room 842
Washington, DC 20223
On behalf of the Deponent.



000319

1 A Yes, because of the way I facilitated
2 getting them in, meeting them at the gate. I kind of
3 have a rough estimate of time, that I went down there
4 and escorted them up.

5 Q You personally met them?

6 A Yes.

7 Q Would they sign in? Would there be a
8 record somewhere of what time they arrived that
9 morning?

10 A Not for them. We made an exception.

11 Q Mr. Martin, what, if anything, did you do
12 further to investigate what Mr. Abbott had reported
13 to you?

14 A Nothing.

15 Q Did you report it to anyone else?

16 A I might have -- I might have had a
17 discussion with Special Agent Paul Imbordino about
18 it.

19 Q Let me ask it this way: Why did you not
20 personally investigate it further?

21 A Because basically it wasn't our
22 investigation. It was the investigation of the FBI

1 and the U.S. Park Police.

2 Q And was it your understanding that if
3 anyone would investigate this, it would be the Park
4 Police or the FBI?

5 A Yes.

6 Q And you also were aware, I take it, that
7 the Park Police were aware of Mr. Abbott's
8 observations because you had discussed those with
9 them; is that right?

10 A Because Pete Markland was standing to my
11 left when Bruce Abbott approached me, and I was sure
12 that he had heard that.

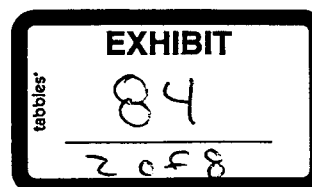
13 Q And I guess I'm not phrasing this very
14 well, but the point I'm trying to make is, knowing
15 that Mr. Markland had heard it, you didn't feel the
16 need to report it any further than that. Is that
17 fair?

18 A Yes.

19 Q Did you ever -- do you know Craig
20 Livingstone?

21 A Yes, sir, I do.

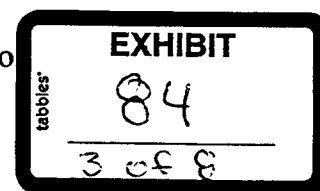
22 Q Do you know him personally?



1 Q Was it before 10:00 in the evening, do you
2 think?
3 A Yes.
4 Q And can we place it any more precisely than
5 between 8:00 and 10:00 -- closer to 8:00 than 10:00?
6 A Maybe between 8:30 and 9:00, something like
7 that.
8 Q And you said you called Mr. Friedman,
9 Mr. Imbordino and Mr. Livingstone; is that correct?
10 A Yes.
11 Q Do you remember which one you called first?
12 A Yes. Rich Friedman.
13 Q And you told Mr. Friedman what the watch
14 commander had told you, I take it?
15 A Yes.
16 Q What other conversations did you have with
17 Mr. Friedman at that time?
18 A I told him I'd be notifying Paul Imbordino
19 and I'd probably notify a staff member to ID the
20 body.
21 Q Did you discuss with Mr. Friedman whether
22 or not any additional or enhanced security measures

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1 should be taken with respect to Mr. Foster's office
2 or --
3 A No, that was never discussed.
4 Q And when you say it was never discussed,
5 you mean it wasn't discussed with Mr. Imbordino as
6 well?
7 A Yes, it was never discussed with Imbordino.
8 Q I think we can go quickly through your
9 conversation with Mr. Imbordino. Did you call him at
10 home?
11 A Yes. I'm not sure if I reached him by page
12 or direct. I can't recall that, but I did speak to
13 him.
14 Q And is he who you called after you called
15 Mr. Friedman?
16 A Yes.
17 Q Just briefly describe, if you would,
18 please, your conversation with Mr. Imbordino.
19 A Basically that they had received
20 information that Mr. Foster, a White House
21 passholder -- had looked like an apparent suicide.
22 Q Did either Mr. Friedman or Mr. Imbordino



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1 his death of July 20th?

2 A That particular evening? After the
3 telephone call with the watch commander at the White
4 House, that was about the extent that night.

5 Q Nothing further on the 20th?

6 A Nothing further.

7 Q And I take it on the morning of July 21st
8 you went to work?

9 A Yes.

10 Q Do you recall what time you arrived at work
11 that morning?

12 A Specific time, no.

13 Q Did you arrive earlier than your normal
14 arrival time, to the best of your recollection?

15 A Yes.

16 Q Just generally speaking, what time do you
17 think you arrived that morning?

18 A Probably before 7:00 in the morning.

19 Q And what, if anything, did you do in
20 connection with Mr. Foster's death when you arrived
21 at the White House on the 21st?

22 A I was to meet the investigators at the

1 southwest gate.

2 Q Did you know that before you arrived at the
3 White House that morning?

4 A Yes, I did.

5 Q How did you know that?

6 A That's per a telephone conversation with
7 Paul Imbordino the night before.

8 Q On the evening of the 20th, Mr. Imbordino
9 told you to meet investigators the next morning?

10 A He said I would help facilitate getting the
11 investigators in, yes.

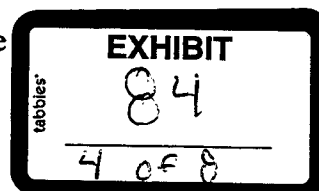
12 Q Therefore, what did you do with respect to
13 that when you arrived at work?

14 A I went directly to my office, changed into
15 a blazer and tie rather than uniform, because the
16 concern was press coverage, responded down to the
17 southwest gate and waited for investigators to show
18 up.

19 Q What time did you arrive at the southwest
20 gate?

21 A I can't recall specifically.

22 Q Can you say generally whether it was before



1 or after 9:00 a.m.?

2 A It was before 9:00 a.m.

3 Q Do you think it was before 8:00 a.m.?

4 A It's possible it was before 8:00 a.m., yes,
5 sir.

6 Q And did you just physically wait there for
7 the investigators to arrive?

8 A Yes.

9 Q How long did you wait?

10 A For the investigators?

11 Q Yes.

12 A 40 minutes. Roughly 40 minutes.

13 Q So your recollection is that they arrived
14 at the White House reasonably early in the morning of
15 the 21st; is that right?

16 A Yes, I'd say between 8:30 and 8:40. I had
17 gone into the west wing earlier with another group of
18 investigators that were there.

19 Q Well, I missed that. Let me come back to
20 that. What group of investigators were there
21 already?

22 A As I went down to the gate to meet the Park

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1 Police, I observed the unmarked vehicle pull up to
2 the southwest gate, which I recognized as the chief
3 of Park Police.

4 Q Is that Mr. Langston?

5 A Yes.

6 Q Was anyone with Mr. Langston?

7 A Yes.

8 Q Who was with him?

9 A Major Hines.

10 Q Was Pete Markland with him as well?

11 A No.

12 Q So just Mr. Langston and Mr. Hines. Can
13 you estimate -- maybe you already did -- what time
14 that was that they arrived?

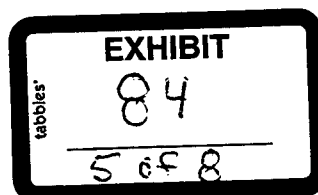
15 A I can't recall.

16 Q Before 8:00 in the morning?

17 A Yes.

18 Q Did you personally receive them?

19 A Yes. My concern was in that particular
20 area, the vehicle pulled up to the gate. First of
21 all, it was blocking the gate from other staff
22 members from coming in and the concern was press.



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1 A When they were escorted in, I kind of went
2 up to the doorway and I saw him.

3 Q Did you have any conversations with them or
4 were you checking to see if he was there?

5 A I was trying to accommodate the Park Police
6 to get in.

7 Q With Chief Langston and Captain Hume, did
8 you have any further conversations with them at that
9 time about their purpose for being there other than
10 to meet Mr. Watkins?

11 A Can I clarify something?

12 Q Please.

13 A Captain Hume didn't come until later on.
14 It was Major Hines.

15 Q I apologize. That's what you said and I
16 confused that.

17 A And I don't remember Major Hines going into
18 the west wing. I can only recall Chief Langston
19 going in. I think Major Hines might have stayed with
20 the vehicle.

21 Q Thank you for clarifying that. So
22 therefore, with either Major Hines, who remained

1 outside, or Chief Langston, who went in with you to
2 the west wing, did you have any further conversations
3 with them about their purpose for being in the west
4 wing?

5 A No.

6 Q After you escorted Chief Langston to the
7 west wing, what did you do?

8 A I immediately went down to the southwest
9 gate again to make sure I would meet my appointment
10 with the other investigators coming in.

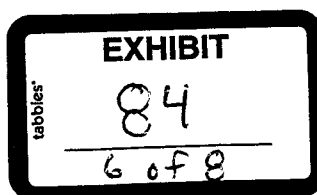
11 Q And I think you testified before that you
12 waited there in the vicinity of 40 minutes; is that
13 correct?

14 A From the time that I initially got out
15 there and escorted Chief Langston and then went back
16 down there and waited an additional 15, 20 minutes,
17 it seemed like it was about 40 minutes, yes.

18 Q And who arrived -- which investigators
19 arrived that morning?

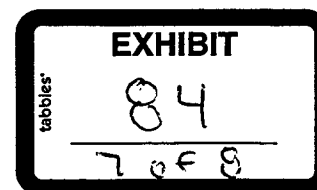
20 A The first two investigators who came were
21 FBI agents.

22 Q Do you recall their names?



- 1 A No, I don't.
- 2 Q Do you recall whether Special Agent Salter
- 3 was one of them?
- 4 A The name, like I say, sounds familiar. I
- 5 recall one guy having blonde hair, young.
- 6 Q There were two of them?
- 7 A Yes.
- 8 Q Does the name Special Agent Condon ring a
- 9 bell to you?
- 10 A No, it doesn't.
- 11 Q What did you do when you met the FBI
- 12 agents?
- 13 A I cleared them through the gates and had
- 14 them maintain custody of their weapons. It was
- 15 necessary for them to lock their weapons up because
- 16 they would be under escort by myself. I asked them
- 17 if they wouldn't mind waiting because we'd have two
- 18 additional investigators coming from Park Police.
- 19 Q Where did they wait?
- 20 A We waited outside the security post out on
- 21 the sidewalk.
- 22 Q Physically standing outside?

- 1 A We're inside the secured area on the
- 2 avenue, on West Executive Avenue, but we're outside
- 3 the security post itself, the building.
- 4 Q What, if anything, did the FBI agents say
- 5 was their purpose in being there that morning?
- 6 A Said they were there to talk to
- 7 Mr. Nussbaum.
- 8 Q Did they say why or about what?
- 9 A I don't think they had to. I think we all
- 10 knew what it was for.
- 11 Q What did you assume it was for?
- 12 A I had been told the night before they would
- 13 be going up to Mr. Nussbaum's office to talk about
- 14 Mr. Foster's death.
- 15 Q And I take it you waited down there for
- 16 some period of time for the Park Police investigators
- 17 to arrive?
- 18 A Yes.
- 19 Q How much longer did you wait?
- 20 A With the FBI agents with me?
- 21 Q Yes, sir.
- 22 A I was maybe standing with the FBI agents



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1 maybe 10, 15 minutes.

2 Q And then Captain Hume and Detective
3 Markland arrived; is that right?

4 A Yes, they were on foot.

5 Q What time, approximately, do you think they
6 arrived?

7 A It seemed like it was before 9:00.

8 Q So if I can summarize -- and tell me if
9 I've got this wrong -- based on your personal
10 knowledge, two Park Police, two FBI agents, Chief
11 Langston and Major Hines, six investigators were
12 physically present at the White House before 9:00 in
13 the morning on the 21st of July. Is that accurate?

14 A With one exception, and that would be the
15 two -- are you considering Bob Langston and Major
16 Hines as part of the investigation team, which I
17 didn't consider at that time? They were there for an
18 appointment to see Mr. Watkins. They weren't there
19 to be escorted by us to go into Nussbaum's office.

20 Q You didn't understand they were there to
21 conduct any investigation?

22 A Yes.

1 Q Let me restate it to see if I've got it
2 right. There were four people who you considered to
3 be part of the investigative team?

4 A Yes.

5 Q The two FBI agents; is that correct?

6 A Yes.

7 Q And Captain Hume and Detective Markland,
8 the Park Police; is that correct?

9 A Yes.

10 Q And all four of those, you're personally
11 certain, were physically present at the White House
12 at or before 9:00 in the morning on the morning of
13 the 21st?

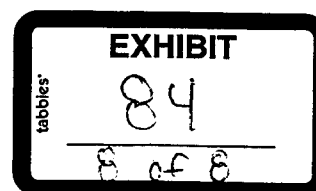
14 A Yes.

15 Q What did you next do with the four agents
16 that you were escorting?

17 A I escorted them up to the lobby area by the
18 situation room, the west basement.

19 Q And then what happened?

20 A I went up to the officer at the post and
21 asked them to call up to Nussbaum's office to send
22 somebody down to pick up the appointments.



**DEPOSITION OF JOHN K. DANNA
IN RE: S. RES. 120**

WEDNESDAY, JUNE 28, 1995

**U.S. SENATE,
COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS,
SPECIAL COMMITTEE TO INVESTIGATE WHITEWATER
DEVELOPMENT CORPORATION AND RELATED MATTERS,
Washington, DC.**

Deposition of JOHN K. DANNA, called for examination pursuant to notice of deposition, at 9:45 a.m. in Room 640-A of the Hart Senate Office Building, before JULIE BAKER, a Notary Public within and for the District of Columbia, when were present:

EVERETT C. JOHNSON, JR., Esq.
Majority Deputy Special Counsel
NEAL E. KRAVITZ, Esq.
Minority Principal Deputy Special Counsel
LANCE COLE, Esq.
Minority Deputy Special Counsel
U.S. Senate
Committee on Banking, Housing, and Urban Affairs
534 Dirksen Building
Washington, DC 20510
On behalf of the Committee.

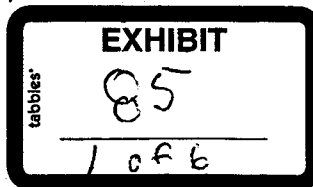
PAUL J. FISHMAN, Esq.
U.S. Department of Justice
Room 4222
Tenth Street & Constitution Avenue, NW
Washington, DC 20534

and

ANDREA M. SIMONTON, Esq.
Deputy General Counsel
Federal Bureau of Investigation
Tenth Street & Pennsylvania Avenue, NW
Washington, DC 20535
On behalf of the Deponent.

**ALSO PRESENT: CHARLES J. SGRO
TASHIA URLAND**

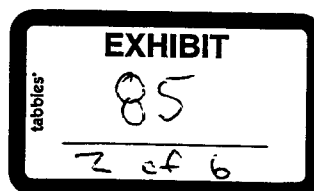
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1 say '78 or '88?
 2 A '88, October '88.
 3 Q And you are physically stationed in
 4 Washington, D.C.; is that correct?
 5 A 1900 Half Street, Southwest.
 6 Q To whom do you report?
 7 A I have an ASAC, which is assistant special
 8 agent in charge, my immediate supervisor. And I also
 9 have a special agent in charge, an SAC. I report on
 10 a daily basis to those two people.
 11 Q What are their names?
 12 A Currently it's Jack Daulton, D-a-u-l-t-o-n,
 13 is the ASAC, and Bill Megary is the SAC.
 14 Q Could you spell Mr. Megary's last name?
 15 A M-e-g-a-r-y.
 16 Q Back in 1993, you were about to tell me --
 17 A It was Mr. Desarno, D-e-s-a-r-n-o, was my
 18 ASAC, and Bob Bryant was the -- I think he was an
 19 SAC -- yes, he was an SAC at that time. He was
 20 subsequently made ADIC, assistant director in charge
 21 in WMFO, Washington metropolitan field office. It's
 22 A-D-I-C.

1 MR. JOHNSON: I'm not going to say anything
 2 at all.
 3 MR. KRAVITZ: He's speechless for the first
 4 time ever.
 5 (Laughter.)
 6 (Discussion off the record.)
 7 BY MR. JOHNSON:
 8 Q The majority of my questions this morning
 9 will surround the time period at or around the time
 10 period at or around Vincent Foster's death, July
 11 1993. Sometimes because I'm not careful enough, I
 12 forget to state that in the question. Generally
 13 speaking, if the question is ambiguous, why don't you
 14 assume we're talking about the 1993 time period. And
 15 if there's a reason to vary from that assumption,
 16 I'll try and state that in the questions.
 17 Just one or two sort of background points.
 18 What generally are the responsibilities for the
 19 violent crime squad?
 20 A Classifications are kidnappings,
 21 extortions, bank robberies, armored car robberies.
 22 The traditional violent crime, not including gang --



1 drug gang investigations, which is handled by another
2 violent crime squad, and cold case homicide cases,
3 which are handled by another violent crime squad. I
4 have the traditional things.

5 Included also in that area are assault
6 cases on members of Congress, Supreme Court, and we
7 also have the Presidential assassination statute on
8 my squad, which is Title 18, section 1751.

9 Q And I want to cover this in some detail in
10 a few moments, but I take it that you personally were
11 assigned to some duty in connection with the
12 investigation into Mr. Foster's death; is that
13 correct?

14 A Only as a supervisor of the squad that was
15 called by the Park Police.

16 Q I'll come back to that, but my general
17 question is why was your squad or the squad that you
18 were supervising involved at all in Mr. Foster's
19 death, jurisdictionally?

20 A You want to know right now?

21 Q Yes.

22 A That morning after Mr. Foster -- the 20th,

10

1 the morning of the 21st, around 10:00 I got a call
2 from Captain Hume, H-u-m-e, in the Park Police, and
3 he had called and told me that he was in the White
4 House, in fact, in the Old Executive Office Building,
5 investigating the suicide of Mr. Foster. And he
6 requested that I come over and hook up with him and
7 provide him some assistance in a cooperative effort.
8 And because of that, I told him I would, and also
9 called two of my agents that were out on the street
10 on other matters and asked them to meet me over
11 there.

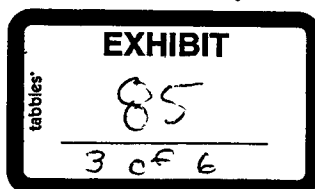
12 Q Prior to that call from Captain Hume of the
13 Park Police, what information, if any, did you have
14 regarding Mr. Foster's death?

15 A I don't recall specifically what I observed
16 or heard in the media. My only source of information
17 was what I heard on TV or read in the paper that
18 morning. I had no other information.

19 Q You had no official information about it?

20 A Absolutely not.

21 Q And you had not been contacted by anyone
22 with respect to Mr. Foster's death in any official



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1 A No. He did not say unspecified
2 difficulties. That was my term. He said words to
3 the effect that he's having some problems, and would
4 you mind coming over, and he did not define
5 "problems" on the phone. And he wanted to just have
6 me come over.

7 Q Did he shed any light at all in that
8 telephone call about the nature of the problems?

9 A No.

10 Q Do you think he left it at I'm having
11 problems, or did he say more specifically I'm having
12 problems getting access to Mr. Foster's office?

13 A He didn't get to that detail. He said
14 would you mind coming over here; I would like to talk
15 to you. We're having problems.

16 Q When you hung up the phone with Captain
17 Hume that morning, you didn't have any idea what
18 problems, if any, he was having?

19 A No, I did not.

20 Q And he didn't name any names or say I'm
21 having problems with that jerk so-and-so, nothing to
22 that effect?

1 A No. I think it was more the point that he
2 had been over there for a long time, and he was not
3 getting the information that he wanted to -- that he
4 needed to get.

5 Q Did he say that to you?

6 A No, that's my thought.

7 Q That was your impression?

8 A Right.

9 Q Did Captain Hume say why he called -- of
10 all agents in the FBI, why he called you?

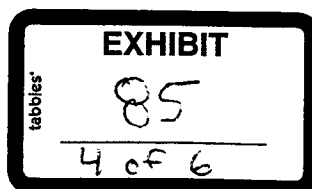
11 A No.

12 Q Did you have any personal understanding of
13 that, whether or not he stated it?

14 A I did not ask how many people he had talked
15 to before he got to me. He may have been referred to
16 me by other people in our office, but I have no idea
17 who that may have been. Whoever did or why he did
18 get to me, he got to the right squad. It was that
19 violation.

20 Q What violation?

21 A The potential violation involving a
22 presidential staff member.



1 Q Mr. Foster's death, had it been something
2 other than a suicide, would have fallen under the
3 squad you have?

4 A Yes, Title 18, section 1751.

5 Q And that's the presidential prohibition?

6 A Statute which also covers presidential
7 staff members.

8 Q As you sit here today, do you have any idea
9 how Captain Hume got your name?

10 A No, I don't.

11 Q Still don't know?

12 A No. I never asked him.

13 Q How would you describe his tone on the
14 telephone?

15 A Professional, and just asking me to come
16 over and see him.

17 Q He didn't seem to be agitated or frustrated
18 or more animated than usual?

19 A I couldn't compare it. No, he did not.

20 Q Didn't use any swear words or anything like
21 that?

22 A No.

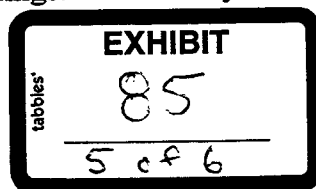
1 Q What's the next thing you did?

2 A I had two agents that were out on another
3 case in a car. I beeped them and contacted them on
4 the radio and told them to meet me over at the
5 southwest gate of the White House. And after doing
6 that, I called our headquarters staff in the violent
7 crimes unit and talked to a supervisor there and told
8 them why we were going over there.

9 Q Which was what?

10 A What I previously stated, just that we had
11 a request from the Park Police to meet them over
12 there so that at least they knew why -- if it came
13 out that we were over there, at least they knew why
14 we were over there. At some point in time, I also
15 made contact with the U.S. Attorney's office in the
16 eastern district of Virginia; spoke to a prosecutor
17 over there so they would concur in our going to the
18 White House. And I subsequently drove to the
19 southwest gate and met my two agents, those two
20 agents.

21 Q Let me stop you at the gate and come back
22 through a couple of these things. You said you



1 to conduct the obstruction of justice investigation
2 that the FBI opened up.

3 Q How much later in time do you recall that
4 having occurred?

5 A I think it was -- he may have come over
6 July 28th or 29th. I went on leave for a day.

7 MR. JOHNSON: Is there anything about this
8 that we're not suppose to inquire about?

9 MR. KRAVITZ: I don't think so.

10 MR. FISHMAN: Off the record for a second.
11 (Discussion off the record.)

12 BY MR. JOHNSON:

13 Q Your memory is that that was, I think you
14 said, in the vicinity of July 28, 1993; is that
15 correct?

16 A 28th or 29th, I believe.

17 Q Can you say more particularly what that
18 investigation was about?

19 A It related to the subsequent location of a
20 torn-up note in a briefcase by a White House
21 staffer. I think it was Neuwirth. I was told it was
22 Neuwirth or whatever. That was related to the FBI,

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1 the FBI headquarters decided to send over an
2 inspector because it was a separate inquiry than what
3 we were doing on my squad.

4 Q Help me understand the jurisdictional
5 differences. Why was that a separate inquiry?

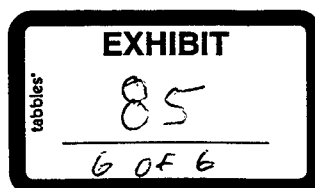
6 A The only basis we have on our squad is the
7 175 classification, which is a Presidential staff
8 member investigation. We don't work, again, on
9 obstruction of justice cases and, again, as you may
10 or may not know, the FBI has to -- we have to have a
11 reason to do investigations, and the only reason we
12 had is, again, for a Presidential thing. I can't
13 assign people on my squad and supervise other cases
14 that are not within my purview.

15 (Discussion off the record.)

16 BY MR. JOHNSON:

17 Q What role, Mr. Danna, if any, did you play
18 in what you've described as the obstruction of
19 justice investigation?

20 A Any role I played was assigning two
21 agents. The initial agents, Scott Salter and Dennis
22 Condon, went on leave, so I believe that another



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- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 3/21/94

_____ was interviewed at _____, Washington, D.C. She had requested the interview to provide information possibly related to the death of Vincent Foster. After being advised of the identity of the interviewing agents, Ms. _____ provided the following information:

On the day of Vincent Foster's death, July 20, 1994, she was traveling westbound on the George Washington Parkway (GWP) at approximately 5:30 -6:30 p.m. She advised that she lives in _____, Virginia and travels this route frequently to and from work in Washington, D.C. On several occasions she has stopped at the Fort Marcy Park along the GWP to meet friends. On this particular night, as she was driving by the entrance to Fort Marcy Park, she noticed a well-dressed man out of his car opening the gate to the park. She noted that because it was still light, it was very unusual for the park gate to be closed as the park is usually open until dusk. She didn't think anything further about this incident until learning the following day that Vincent Foster had been found dead earlier that same day in this park. She did not come forward earlier with this information as she believed it to be insignificant. At the urging of her mother, she decided to make her observations known to the FBI at this time.

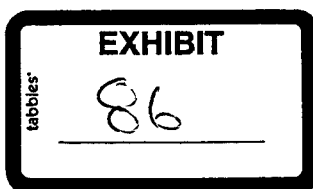
She described the vehicle being driven by this individual as a light blue 190 Mercedes 4-door sedan. She could not remember seeing the license plate and could remember no other distinguishing characteristics of the vehicle, just that it was not a brand new automobile. She described the man from the car as being "well-dressed." She further described him as a white male, slim, short brown hair, dark suit, aged 30s to early 40s and of average height. She did not remember noticing him wearing glasses. He had no other distinguishing characteristics which she could recall. She remembered thinking that this man was probably going to get into trouble opening the gate to the closed park.

Investigation on 3/21/94 at Washington, D.C. File # 29D-LR-35063

OIC 000034

by _____ Date dictated 3/21/94

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29D-LR-35063

Continuation of FD-302 of WILLIAM JOSEPH BIANCHI, On 3/17/94, Page 2

with FCFRD personnel who had been on the scene of the FOSTER incident, but BIANCHI referred RUDDY to the FCFRD Public Information Officer (PIO). BIANCHI is not aware of RUDDY speaking with anyone from FCFRD other than two individuals, GEORGE GONZALES and COREY ASHFORD, who were quoted in a subsequent article. Approximately three days after RUDDY appeared at Station 1, an article under RUDDY's byline appeared in the NEW YORK POST and included quotes from GONZALES and ASHFORD of FCFRD.

BIANCHI's understanding of the FCFRD press policy is that any reporters contacting BIANCHI should be referred to the FCFRD PIO, who will contact BIANCHI and provide approval, as appropriate, for BIANCHI to speak with the media.

On the day of the FOSTER incident, BIANCHI was riding on Truck 1 as the officer-in-charge. BIANCHI normally rode on Engine 1, but on that day he allowed Sergeant JAY IACONE to ride on the engine in his place since IACONE was on the promotion list to become a lieutenant and needed experience on the engine. Therefore, when a call was dispatched for a person shot at Fort Marcy Park, BIANCHI was not among the personnel who responded immediately since Truck 1 was not dispatched on the call. BIANCHI was at Station 1 when the FCFRD personnel who responded to the initial call later returned to the station. BIANCHI heard two people who had been on the call, possibly TODD HALL and RICK ARTHUR, say that it had been a strange incident. BIANCHI also heard from the returning FCFRD personnel that the victim was deceased and had been employed at the White House. In particular, IACONE already knew that the victim had been employed at the White House when he returned to Station 1. When BIANCHI learned that the victim was a White House employee, he instructed HALL and IACONE to make their reports on the incident very detailed.

On the day of the FOSTER incident, JIM SUTTON was scheduled to be the driver on Truck 1. However, SUTTON was injured earlier in the day and was replaced as the driver by VICTORIA JACOBS. ANDY MAKUCH and BIANCHI were the other personnel on Truck 1. Engine 1 was staffed by RALPH PISANI, IACONE, and one other individual, name not recalled, on the bucket of the engine. Medic 1 was staffed by TODD HALL as the driver, Sergeant GEORGE GONZALES as the officer-in-charge, and RICK ARTHUR in the back of the unit. Ambulance 1 was staffed by COREY ASHFORD as the Emergency Medical Technician and ROGER

9/20 Journal

Call me in Person at Q
St. Mary's Park

Jason and engine that day, after
Diachi was assigned to start to
give Jason experience on engine.

Medic and engine departed.

Medic and engine returned to station.
John Hall may have noticed things she
was being lying then.

Jason said based on what he hears,
"one of Clinton's policy
kills himself".

It was some knowledge of
station medic from white force.

Diachi instructed Jason and Hall
to not mention in reports on ground.

Hall and Diachi after made conversations that
policy's part are strong.

Jim after was born on engine line
truck.

Diachi push down
Diachi
antenna hook

engine on
DC
Person
Jason
unknown
unit

medic
Diachi
and other truck
John Hall line

2517

USPS FORM 43-11
Rev. 1-91

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
UNITED STATES PARK POLICE

YR	INCIDENT NUMBER
9 3	9 3 0 5 0

LOCATION CODE

EVIDENCE/PROPERTY CONTROL RECEIPT

EVIDENCE FOUND PROPERTY SAFEKEEPING

OFFENSE/INCIDENT: Death Investigation DATE: 07/20/93 TIME: 10:15 AM

LOCATION: Fr. Varsity, G.W.M.P. OFFICER: E. Fessel BADGE #: 333

PROPERTY #: _____ NARCOTIC #: _____ DEA LAB #: _____ MCL #: _____

ITEM #	QUANTITY	DESCRIPTION OF EVIDENCE/PROPERTY	LOCATION RECOVERED
5	1	Brown leather wallet containing \$292.00 in U.S. currency, an Arkansas driver's permit, including photo, to Vincent W. Foster, Jr., 5414 Stonewall Rd., Little Rock, Arkansas, one Exxon credit card, one shell credit card, one White House Federal Credit Union card, one Schwab One Visa card, one American Express gold card, one Delta Frequent Flyer card, one AT&T Calling card, and other miscellaneous cards, papers and photos.	From inside suit jacket pocket of suit jacket from front passenger seat of 1989 grey Honda Accord 4 door, Arkansas tags RCN-504, registered to Vincent Foster, Jr., 5414 Stonewall Rd., Little Rock, Arkansas. COC Jacket in vehicle to Inv. Brown to Inv. Rolla to Safe.
6	1	Seiko quartz wrist watch with brown leather band. Serial # 200757	From the Deceased left wrist. COC Inv. Rolla to safe.
7	1	<u>Motorola Bravo pager, cap code 052943, inscribed WHCA.</u>	From the Deceased right side waist area. COC same as item 6.
8	1	Silver colored ring with large white stone.	From the Deceased Right ring finger. COC same as item 6.
9	1	Gold colored band type ring with inscription " E.B.B. to V.W.F. 4-20-68.	From the Deceased left ring finger. COC same as item 6.

NCIC CHECK MADE

EVIDENCE/PROPERTY OBTAINED FROM: Grey Honda Accord, Arkansas tags RCN-504.

OWNER: Vincent W. Foster, Jr. DEFENDANT(S): _____

OWNER'S ADDRESS: 3027 Cambridge Pl, Little Rock, AR

RECOVERED/RECEIVED BY: Inv. John C. Rolla DATE: 07/20/93 TIME: 10:15 AM

ADDRESS: U.S.P.P. CIB

PROPERTY MAY BE: RELEASED: YES () NO () ITEM(S): _____

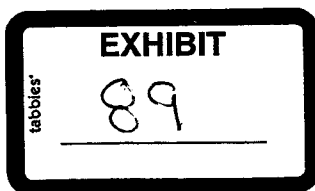
 DESTROYED: YES () NO () ITEM(S): _____

CASE INVOLVES ASSET FORFEITURE: YES () NO () ITEM(S): _____

CASE UNDER ARREST? YES () NO ()

Inv. John C. Rolla 354 07/20/93

OFFICER/AUSA OR STATES ATTORNEY _____



000336

~~~~~

Vincent Foster, JR.

5414 Stonewall Rd.

Little Rock, Ark

72202

89 Bond St. Ydr

Greer

Lit. carrier

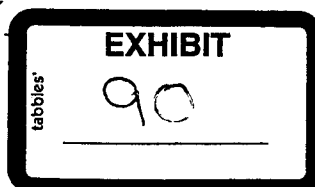
395-4366

202-337-8103

3027 Cambridge Rd.

MA.

per



1623

**CONFIDENTIAL**

FD-302 (Rev. 3-10-82)

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/10/94

Sergeant CHERYL ANN BRAUN, U.S. Park Police (USPP) was advised of the identities of Agents \_\_\_\_\_ and \_\_\_\_\_. She was informed that the FBI was conducting an ongoing investigation into the death of VINCENT FOSTER and wished to interview her for any information or assistance she could render.

Sergeant BRAUN advised that on July 20, 1993, she was working in the Investigative Branch of the USPP, working a 2:00 - 10:00 p.m. shift. She stated that she and two other investigative officers, JOHN ROLLA and RANDY ABT, were at the Anacostia Park Station when the call first came in regarding the finding of a dead body at Fort Marcy Park. Officer BRAUN stated that as best she recalls, she inquired by police radio if it appeared natural or suspicious and one of the officers at the park responded that it appeared suspicious. She instructed them by radio to close the park gate.

BRAUN stated that she and Officers ROLLA and ABT then proceeded to the park, estimating her arrival somewhere between 6:30 and 6:45 p.m. As she pulled into the park entrance, she noted a dark colored disabled Mercedes with hazard lights on. In the Fort Marcy parking lot, she recalls two cars, one of which was later identified as MR. FOSTER's car, and a second car, towards the rear of the lot, belonging to a man and a woman who were in the process of being questioned by USPP Officer JULIE SPETZ. Sergeant BRAUN stated that she believes LT. GAVIN, USPP Shift Commander was also at the parking lot, adding that he left fairly quickly after she arrived with fellow investigators.

Sergeant BRAUN stated that she was the senior investigator on the scene, adding that she initially participated in questioning a man and a woman who had been found in the park by Officer SPETZ. She advised that as best she recalls, she, ROLLA and ABT remained in the parking lot for about 5 or 10 minutes, awaiting the arrival of evidence officer PETER SIMINELLO. She stated that to the best of her recollection, she,

Investigation on 4/28/94 at 5/3/94 File # 29D-LR-35063

by \_\_\_\_\_ Date dictated 5/4/94 OIC 000261

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

EXHIBIT  
91  
1 of 3

000338

**CONFIDENTIAL**

29D-LR-35063

Continuation of FD-302 of CHERYL ANN BRAUN, On 4/28/94, Page 2

SIMINELLO, ROLLA and ABT all walked up to the death scene together.

Sergeant BRAUN stated that the body was lying approximately fifteen to twenty feet in front of "the second cannon" in the center of a steeply sloped path on the downside of a berm or hill. She stated that the head was at the top of the slope, with the body extending down the slope, positioned flat on its back, hands by side. BRAUN stated that there was thick foliage on both sides of the body. To some degree, the foliage extended out over the body, making it difficult to see. BRAUN stated that she recalls seeing a revolver in the right hand, pointing out that she was looking for the gun as she had already been informed that it was a suicide. BRAUN states that she clearly recalls blood in the area of the nose running down the right side of the face; she can't say for sure, but she vaguely recalls some trace of blood around the mouth and also traces of blood on the right shoulder of the shirt. BRAUN stated that by the time she had viewed the body, a heavy concentration of flies were around the mouth, nose and eyes. BRAUN further stated that the head was tilted up and back, with the eyes partially opened, looking straight up towards the sky.

Sergeant BRAUN advised that shortly after arriving at the death scene, Officer JOHN ROLLA began taking polaroid pictures; she stated that at approximately the same time or possibly shortly thereafter, PETE SIMINELLO also began taking 35mm photographs. She stated that both ROLLA and SIMINELLO worked their way around the body taking both polaroids and 35mm photographs from various angles. As she recalls, JOHN ROLLA, while taking photographs of the body, discovered a pair of eyeglasses approximately ten feet below the body on the down side of the berm. She stated that to the best of her recollection, this was the only other physical evidence found in the vicinity of the body, adding that she has no recollection of a wine bottle being found near the right side of the body. Sergeant BRAUN recalled specifically looking around the area for any possible suicide note, but found none. Sergeant BRAUN stated that to the best of her recollection, both 35mm and polaroid photos were taken prior to the time that any of the Park Police officers touched or disturbed the body. Sergeant BRAUN advised that at one point prior to her going back down to the parking lot, she observed Officer ROLLA check the pants pockets, both sides and rear, in an effort to find identification or possible suicide

000339

OIC 000262

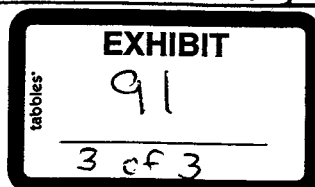
29D-LR-35063

**CONFIDENTIAL**Continuation of FD-302 of CHERYL ANN BRAUN, On 4/28/94, Page 3

note. She stated that ROLLA, in doing this, did move the body slightly, possibly rolling it to its right and left. Sergeant BRAUN pointed out that Officer ROLLA, in checking the pockets, did not discover the car keys, adding that she and he later had to go to Fairfax Morgue where she recovered the car keys in the right pants pocket.

Sergeant BRAUN advised that at some point, she and Officer SIMINELLO went back to the parking lot to check the car, adding that she took several polaroid pictures and Officer SIMINELLO took 35mm photos of the car. She stated that she began a search of the car and found a suit jacket with a wallet inside and White House identification on the front passenger seat. BRAUN stated that she advised another officer to call the Shift Commander and inform him of this new development while she continued to search the car. She advised that approximately thirty minutes passed whereupon she learned that the Shift Commander had never been notified and she then, herself, called, advising him of the White House identification at approximately 7:30-7:45 p.m. Sergeant BRAUN stated that at about the time she was completing the search of the car, the coroner and ambulance arrived to remove the body and take it to Fairfax County Hospital (morgue). She advised that she did not learn until later that MR. FOSTER was a Deputy White House Counsel.

Sergeant BRAUN advised that while she and Officer ROLLA were in route to the hospital in an attempt to retrieve the keys from the body, she was contacted by the Shift Commander with instructions to call a White House Official named DAVID WATKINS, a friend of the FOSTER family who wanted to accompany the police officers to the FOSTER home when the family was notified of his death. Sergeant BRAUN stated that she and Officer ROLLA did telephonically contact WATKINS, agreeing to pick him up at his home prior to going to the FOSTER residence. Sergeant BRAUN advised that she and ROLLA were again contacted by the Shift Commander by car phone with follow-up instructions to call a White House Official named KENNEDY. She stated that upon calling KENNEDY, he requested that he and a MR. LIVINGSTONE of the White House be permitted to view the body at Fairfax Hospital. To the best of her recollection, either she or JOHN ROLLA called the hospital, identifying themselves as Park Police and instructing the hospital officials to let a MR. KENNEDY and LIVINGSTONE view the body but not to disturb or remove any objects.



OIC 000263

000340

2

check recent report didn't find would have the road

Spoke first with Ott Spete in lot. ~~Spete~~ Spete  
 was only ~~officer~~ she made in lot. Can't recall if emergency  
 vehicles had arrived at that time. Could have been at back  
 of lot. She ~~was~~ participated in questioning the man or woman  
 i.e. noticed anything unusual, where ~~was~~ <sup>had they been</sup> they in the park  
 any other vehicles. They ~~was~~ couldn't assist, except to state  
 there had been a small car with man sitting in it (shutless / who  
 had been there when they pulled in. They got on crowd 3 pm  
 three vehicles ① Honda VF ② small car with man

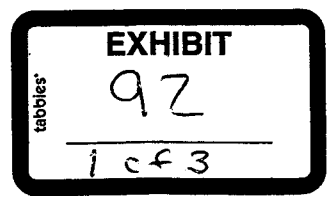
3) Von driver got out and not took ④ see her report on 115

~~of Spete~~ As best recall she and Adla + Aht remained in P lot  
 for 10 minutes awaiting arrival of evidence officer. Peter Samorello

<sup>Chudera</sup>  
 Ott. Hadakievic duo at the PK <sup>lot.</sup> had ~~nothing to~~

then had up to where body was with John + Pete S.

249



000341

(4)

Pretty sure <sup>35mm</sup> pictures were taken before he was ~~in~~ <sup>located</sup> and picture searched. Did roll body to side ~~before~~ <sup>believe</sup> probably <sup>both</sup> sides, to check for ID in side + pockets, ~~as~~ Polowick she believe were <sup>so</sup> taken before they would ~~body~~ <sup>body</sup> but could have seen taken after body had been moved since they were back up.

Pair of gloves were found below body she believe by Pollock To best of her knowledge, nothing else of evid value see. was a round body (no recollection of who bottle was body - if it were there they would have taken it. Lockwater note found near - noted on body Then went to car to check it out. She + Pete went back to

Plaza lot. Search car like photo Pete took 35. she look <sup>she started on front passenger seat and</sup> discovered <sup>up left</sup> ~~left side~~ <sup>under jacket</sup> ~~under jacket~~ <sup>and a map on the board at seat</sup> ~~and a map on the board at seat~~ <sup>looked at it + found nothing of evid.</sup> ~~looked at it + found nothing of evid.~~ <sup>no police went</sup> Gave another officer ~~instructions~~ <sup>instructions</sup> to call 5 Command Green ~~was~~ <sup>was</sup> W.H. ident. ~~Gyrum~~ <sup>30 minutes</sup> to be went by ~~...~~ <sup>...</sup> to moment the entire car. ~~Command officer~~ <sup>Command officer</sup> had not



(3)

called SC so she did. Made that call at approx 7:30 pm

~~She~~ She ~~was~~ did search of car,

~~and~~ coroner arrived at approx same time

Ambulance to remove body and body taken to Fairfax

Didn't learn til ~~later~~ later that Mr F was deputy UH

+

counsel.

Rolla  
Call  
independently  
ready to testify

On way to Hosp. rec. instruction to call UH officer <sup>David W. Atkins</sup> ~~name unknown~~ who  
wanted to go with officers to Foster home to notify family. Agreed to pick her up in <sup>Stam</sup>  
= Had to go back to Hosp - retrieve keys, she opened  
body bag + retrieved keys. then

= Was contacted by SA <sup>Livingston</sup> instructed to call UH <sup>permission to</sup> ~~and~~ <sup>view body</sup> ~~at~~ <sup>at</sup> hospital. Called  
him and he and person wanted ~~to~~ view body at hospital.

ing  
in  
phone.

= Call Hosp ID self as Pk Police and tell Hosp off Kennedy  
Livingston

know we're heading to

Tn

**DEPOSITION OF W. DAVID WATKINS  
IN RE: S. RES. 120**

**TUESDAY, JULY 11, 1995**

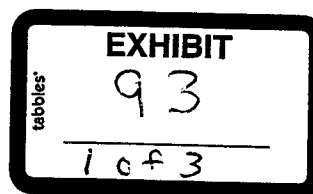
**U.S. SENATE,  
COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS,  
SPECIAL COMMITTEE TO INVESTIGATE WHITEWATER  
DEVELOPMENT CORPORATION AND RELATED MATTERS,  
Washington, DC.**

Deposition of W. DAVID WATKINS, called for examination pursuant to notice of deposition, at 9:45 a.m. in Room 538 of the Dirksen Senate Office Building, before DAVID L. HOFFMAN, a Notary Public within and for the District of Columbia, when were present:

**ROBERT J. GIUFFRA, JR., Esq.**  
Majority Chief Counsel  
**RICHARD BEN-VENISTE, Esq.**  
Minority Special Counsel  
**GLENN F. IVEY, Esq.**  
Minority Counsel  
U.S. Senate  
Committee on Banking, Housing, and Urban Affairs  
534 Dirksen Building  
Washington, DC 20510  
On behalf of the Committee.

**TY COBB, Esq.**  
Hogan & Hartson, L.L.P.  
111 South Calvert Street  
Baltimore, Maryland 21202  
On behalf of the Deponent.

**ALSO PRESENT: TRACY SWANN**



**000344**

1 that you recall?

2 A I think I received one from Craig  
3 Livingstone.

4 Q Who was Mr. Livingstone?

5 A He was a security officer at the White  
6 House.

7 Q Did Mr. Livingstone report to you?

8 A No. He reported to the Counsel's Office.  
9 But he advised me that there was positive  
10 identification.

11 As I, in my conversations with Park  
12 Police, he was insistent that was there positive  
13 identification.

14 Q Do you recall any other telephone calls  
15 you might have made?

16 A I do not recall.

17 Q Did you give any instructions to Mr.  
18 Livingstone?

19 A I don't recall.

20 Q Did there come a time when you were met at  
21 your home by the Park Police?

22 A Yes.

34

1 Q Do you recall anything about the officers  
2 who met you?

3 A Only that they were cordial and felt that  
4 it was a difficult situation.

5 Q Do you recall if it was a man and a woman  
6 who met you?

7 A My recollection is that it was a man and a  
8 woman.

9 Q Could you physically describe the woman?

10 A No.

11 Q How about the male officer?

12 A No.

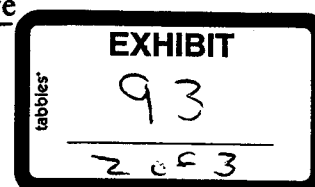
13 Q At that point, did the officers drive you  
14 to the Foster home?

15 A Yes.

16 Q What happened at the Foster home?

17 A We walked to the door. I was immediately  
18 behind the officers. One of the Foster children  
19 answered the door. They asked for Mrs. Foster. She  
20 came down and they notified her of what had happened.

21 Q Do you recall anyone else who might have  
22 been present during the notification?



000345

1 A There were some children on the stairwell.

2 Q Do you recall anyone else arrived shortly  
3 after you did at the Foster home?

4 A Yes.

5 Q Who was that?

6 A Webb Hubbell, Beryl Anthony, and Sharon  
7 Bowman. Beryl Anthony and Sharon Bowman were sisters  
8 of Vincent Foster.

9 Q Mr. Hubbell -- do you have any knowledge  
10 as to whether he, prior to becoming Associate  
11 Attorney General, had any role with regard to the  
12 President and Mrs. Clinton's legal matters?

13 A No, I'm not aware of that.

14 Q Did there come a time at the Foster home  
15 when anyone looked for a possible suicide note?

16 A At the Foster home?

17 Q Yes.

18 A I don't recall.

19 Q Was there ever any discussion of a  
20 possible suicide note anywhere?

21 A Yes, during the evening there were a lot  
22 of people there. There was some general discussion

1 about, well, you know, everyone was shocked and did  
2 not have an explanation or couldn't understand why  
3 this would happen, and there was general discussion,  
4 was there a suicide note.

5 Q Did you recall anything more about the  
6 general discussion about the possible existence of  
7 the suicide note?

8 A I'm sorry?

9 Q Let me strike that question.

10 Do you recall any of the phone calls you  
11 made from the Foster home, if any?

12 A Yes.

13 Q Who do you recall calling from the Foster  
14 home?

15 A Patsy Thomasson.

16 Q Did you make any other calls?

17 A Yes.

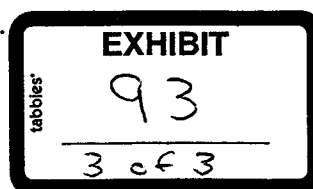
18 Q Who else did you call?

19 A Lee Bowman in Little Rock.

20 Q Who is Lee Bowman?

21 A He was the husband of Sharon Bowman.

22 Q That's Vince Foster's sister?



UNITED STATES DEPARTMENT OF JUSTICE  
 FEDERAL BUREAU OF INVESTIGATION  
 Receipt for Property Received/Returned/Released/Seized

Page 1 of 11

On (date) 5/2/94

- Item(s) listed below were:  
 Received From  
 Returned To  
 Released To  
 Seized

(Name) Capt Charles Hume  
 (Street Address) U.S. Park Police  
 (City) CITB - Anacostia Gen. Facility  
Wash. DC

Description of Item(s):

5 Polaroids marked 1-2-3-4-5 depicting  
 1- Rear of Cannon  
 2- Heavily foliaged area  
 3- VF's body - looking down from top of beam  
 4- VF's body - focusing on face  
 5- VF's body - focusing on RT. side shoulder/arm  
 (notation on back of 1-5 - from Cron St. Edwards 7/20/93 on serial 293)

5 Polaroids (Marked on back 7/20/93 1430 293 30502)  
 1 - Driver Seat  
 2 - Rear seat - driver side  
 3 - Rear seat - passenger side  
 4 - Ft seat - passenger side  
 5 - Rear of vehicle

8 Polaroids (Marked on back JCR 7/20/93 43-30502)  
 1 - Right hand showing gun & thumb in guard  
 2 - glasses on ground  
 3 - VF's body - Taken from below feet  
 4 - VF's body focusing on right side + arm  
 5 - VF's body - focus on top of head thru heavy foliage  
 6 - VF's body - focus on head + upper torso  
 7 - VF's face - looking directly down into face  
 8 - VF's face - Taken from right side focusing on face

EXHIBIT  
 94

**EXHIBIT 1**

**FEDERAL BUREAU OF INVESTIGATION  
WASHINGTON, D. C. 20535**

**To: ADIC, Washington Metropolitan Field Office**

**Date: May 9, 1994**

**FBI File No. 29D-LR-35063**  
**40324038 S/D QV ZG WK**  
**Lab No. UD WP AL QW ZT VY ZZ AR**  
**4033007 S/D QV ZG WK**  
**UD WP AL VY ZZ AR**  
**40405047 S QV RU**  
**40413029 S QV**  
**40414002 S/D QV QW WP**  
**AL**  
**40422001 S-QV QW**

**Reference: Communication dated 3/29/94**

**Year No. 29D-LR-35063**

**Re: MOZARK  
MAJOR CASE #106  
OO: Little Rock**

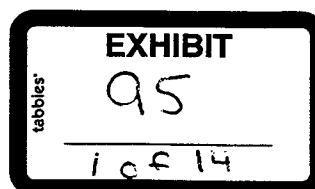
**Specimens received: March 24, 1994**

**Specimens personally delivered by SSA William Colombell on  
March 24, 1994 (Laboratory Number 40324038 S/D QV ZG WK UD WP  
AL QW ZT VY ZZ AR):**

**Q1 Cartridge (2)**  
**Q2 Cartridge case (3)**  
**Q3 Eyeglasses (4)**  
**Q4 Jacket (10)**  
**Q4A Handkerchief (10)**  
**Q5 Tie (11)**  
**Q6A-Q6F Miscellaneous papers (13)**  
**Q7-Q7D Key ring and keys (14)**

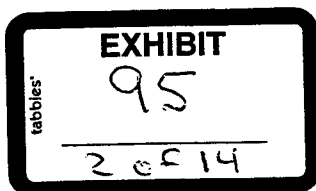
Page 1

(over)



000348

- Q8 Shirt (16)
- Q9 T-shirt (17)
- Q10 Shorts (18)
- Q11 Pants (19)
- Q11A Belt (19)
- Q12-Q13 Socks (20)
- Q14-Q15 Shoes (21)
- Q16 Map (23)
- Q17-Q18 Two pairs of glasses (24)
- Q19 Birthday card (25)
- Q20 Piece of paper (26)
- Q21 Box of checkbooks (27)
- Q22 Card (28)
- Q23 Bottle (29)
- Q24 Can (30)
- Q25 Pack of cigarettes (31)
- Q26 Bottle of Kaopectate (32)
- Q27 Corkscrew (33)
- Q28 Miscellaneous items from ashtray (34)
- Q29 Torn note and envelope resubmitted from Laboratory  
Number 30730011 D/S UD UJ (Q1) (35)
- Q30 Brown paper from around K1 barrel, white filter paper  
and white wrapping paper (37)
- Q31-Q31C Paper on which clothes were dried (38)
- Q32 Negatives (39)



K1 .38 Special caliber Colt revolver, Serial Number 355055 (1)

K2 Known head hair pulled from VINCENT FOSTER (22)

K3 Known blood sample from VINCENT FOSTER (36)

Specimens personally delivered by SSA William Colombell on March 30, 1994 (Laboratory Number 40330007 S/D QV ZG WK UD WP AL QW VY ZZ AR):

**ALSO SUBMITTED:**

Initial Mobile Crime Lab Report of scene of death (Tab 46)

Evidence Control Receipt for weapon, one casing, and one round (Tab 47)

Department of Treasury, ATF National Tracing Center, Report of Firearms Tracing, both serial number (Tab 48)

Metropolitan Police Department certificate of No Record of Firearms Registration for Weapon (Tab 49)

Photo of weapon shown to Foster's sister and John Sloan's correspondence reference same (Tab 50)

U.S. Park Police letter request ATF to perform forensic testing on evidence from the Foster Case, and result of tests from ATF (Tab 51)

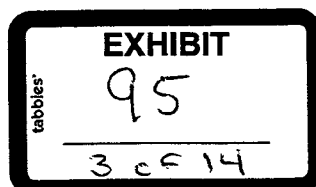
Evidence Control Receipt listing Foster's personal property found at the scene (Tab 52)

Mobile Crime Lab Report on police action attending the autopsy (Tab 53)

Mobile Crime Lab Report on processing Foster's vehicle (Tab 54)

Mobile Crime Lab Report on the efforts to locate the spent bullet (Tab 55)

Mobile Crime Lab Report on processing the weapon for latent fingerprints (Tab 56)





Mobile Crime Lab Report on the "Foster Note" and the U.S. Capitol Police report of their examination of the "Foster Note" (Tab 57)

Mobile Crime Lab Reports reference the note and copies of the FBI's report on the examination of the note for their investigation into possible obstruction of justice (Tab 58)

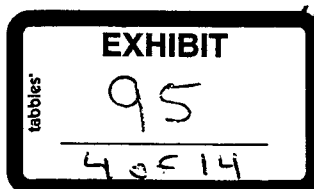
Evidence control receipt of "Foster Note" (Tab 63)

Report of Autopsy and Toxicologist's Report on Foster (Tab 66)

Copies of personal papers found in Foster's wallet (Tab 67)

Specimens personally delivered by SSA James Corby on April 5, 1994 (Laboratory Number 40405047 S QV RU):

- Q33 Bullet (1)
- Q34 Bullet (2)
- Q35-Q40 Six cartridge cases (3)
- Q41-Q42 Two bullets (4)
- Q43 Cartridge case (5)
- Q44 Bullet (6)
- Q45 Cartridge case (7)
- Q46 Bullet (8)
- Q47 Bullet (9)
- Q48 Bullet (10)
- Q49 Bullet (11)
- Q50-Q51 Two bullets (12)
- Q52-Q53 Two cartridge cases (13)
- Q54-Q55 Two cartridge cases (14)



- Q56-Q57 Two shotshell casings (14)  
 Q58 Bullet (14)  
 Q59 Miscellaneous items found at crime scene

Specimens personally delivered by Jim Bell on  
 April 12, 1994 (Laboratory Number 40413029 S QV):

ALSO SUBMITTED:

Report and notes of Carol Rosati, ATF Firearms  
 Identification Examiner

Disk with photos taken by Carlo Rosati, ATF Firearms  
 Identification Examiner

Specimens personally delivered by SSA William Colombell on  
 April 13, 1994 (Laboratory Number 40414002 S/D QV QW WP AL):

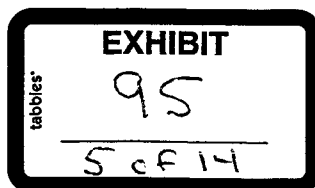
- Q60-Q72 Thirteen autopsy photographs of VINCENT FOSTER  
 Q73-Q86 Copies of fourteen death scene photographs of VINCENT  
 FOSTER

ALSO SUBMITTED:

Roll of film taken at crime scene by Dr. Luke

Specimens delivered by Dr. James Luke on April 21, 1994  
 (Laboratory Number 40422001 S QV QW):

- Q87 Copy of photo of Items 1, 2, 3  
 Q88-Q92 Copies of five polaroids taken at scene by Sgt.  
 Edwards  
 Q93-Q100 Copies of eight polaroids taken at scene by Officer  
 Simonello  
 Q101-Q113 Copies of thirteen polaroids taken during autopsy by  
 Dr. Beyer  
 Q114-Q127 Fourteen 35mm photos taken during autopsy by  
 Dr. Beyer



Result of examination:

**FIREARMS:**

Specimen Q2 is a .38 Special caliber cartridge case of Remington manufacture which was identified as having been fired in the K1 revolver. Several pieces of ball smokeless powder were removed from the Q2 cartridge case in the Laboratory.

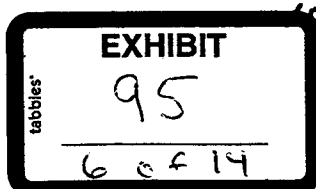
Specimen Q1 is a .38 Special caliber cartridge of Remington manufacture which is loaded with a round-nosed lead bullet. The Q1 cartridge and the Q2 cartridge case are similar in caliber type and manufacturer and bear similar "R-P .38 Spl HV" headstamps. The bullet was removed from the Q1 cartridge in the Laboratory.

The K1 revolver functioned normally when test fired in the Laboratory. The trigger pulls (single action and double action) were normal for the K1 revolver.

One piece of ball smokeless powder was removed from the Q3 glasses in the Laboratory. This piece of ball smokeless powder could have been deposited on the Q3 glasses from the cylinder blast or muzzle blast of the K1 revolver when fired. Ball smokeless powder was also removed from the Q30 paper in the Laboratory.

When the Q8 shirt was received in the Laboratory, the resultant color reaction for a positive reaction for the sodium rhodizonate test was apparent. This reaction was positive for vaporized lead and very fine particulate lead; it was noted on the front of the Q8 shirt. This type of reaction is consistent with the type of reaction expected when a firearm is discharged in close proximity to this portion of the shirt. It is consistent with muzzle blast or cylinder blast from a revolver like the K1 revolver using ammunition like specimens Q1 and Q2.

Subsequent chemical processing of the Q8 shirt in the Laboratory revealed lead residues in a small area near the sixth button from the collar on the front of the Q8 shirt. This reaction could have been caused by contact with a source of lead residues. Lead residues were also detected on the underside of the edge of the collar on the left side of the Q8 shirt. This small area of lead residues could have been caused by the discharge of a firearm consistent with the positive reaction noted above when the Q8 shirt was received in the Laboratory.



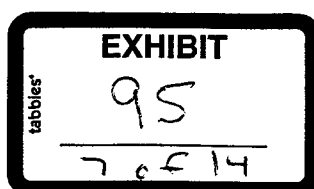
Apparent gunshot residue (smoke) was noted in the Q60, Q112, Q125, Q126 and Q127 photographs on the side of the right forefinger and web area of the victim's right hand. These residues are consistent with the disposition of smoke from muzzle blast or cylinder blast when the K1 revolver is fired using ammunition like that represented by specimens Q1 and Q2 when this area of the right hand is positioned near the front of the cylinder or to the side of and near the muzzle.

The mark on the inside of the right thumb which is visible in the Q60 photograph is consistent with a mark produced by the trigger of the K1 revolver when this portion of the right thumb is wedged between the front of the trigger and the inside of the front of the trigger guard of the K1 revolver when the trigger rebounds (moves forward). The trigger of the K1 revolver automatically rebounds when released after firing (single or double action) or whenever the trigger is released after it is moved to the rear. This mark is consistent with the position of the right thumb of the victim in the trigger guard of the revolver in the Q77, Q79 and Q97 photographs.

The position of the victims hand in the Q77, Q79 and Q97 photographs relative to the revolver and the apparent deposition of gunshot residue (smoke) visible in the Q60, Q112, Q125, Q126 and Q127 photographs is consistent with, but not limited to, the following position of the right hand during firing: Pulling the trigger of the K1 revolver with the right thumb, single or double action, or having the right thumb inside the trigger guard with the web area and side of the right forefinger near the front of the cylinder.

Based on differences in caliber, bullet type and/or the rifling impressions present in these bullets, specimens Q33, Q34, Q41, Q42, Q44, Q47, Q48, Q49, Q51 and Q58 can be eliminated as having been fired from the K1 revolver or they are dissimilar to the type of bullet loaded into the Q1 cartridge.

Specimens Q35 through Q40, Q43, Q45 and Q52 through Q57 are dissimilar to the type of ammunition components represented by specimens Q1 and Q2 and those commonly fired in the K1 revolver.



**METALLURGY:**

Based on metallurgical examinations, the Q46 and Q50 bullets, if exposed to the ambient environment from which they were recovered for the duration of their deformed life, were exposed for a period of time significantly exceeding nine months.

**CHEMICAL ANALYSES:**

The K3 blood contains trazodone, diazepam and nordiazepam at 0.06 micrograms per milliliter (ug/ml), 0.01 ug/ml and 0.04 ug/ml, respectively. The concentration of these drugs is below recognized therapeutic levels.

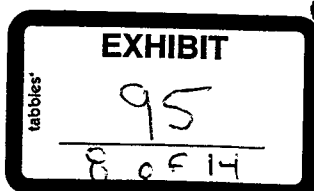
No drugs were identified in the K2 hair. Inasmuch as this laboratory has limited knowledge of drugs other than cocaine and morphine in hair, no conclusions should be drawn from the fact that the drugs found in the blood were not found in the hair.

Ball-shaped gunpowder was identified on the Q3 eyeglasses and the Q30 paper and in the scrapings from Q8, Q9 and Q31. This gunpowder is physically and chemically similar to the gunpowder identified in the Q2 cartridge case. One flattened ball-shaped gunpowder particle and one perforated disk-shaped gunpowder particle physically different from the gunpowder identified in the Q2 cartridge case was identified in the scrapings from Q12-Q15, and Q31B, respectively. The flattened ball-shaped gunpowder particle from the Q12 through Q15 scrapings is not consistent with having originated from a fired cartridge.

No ball-shaped gunpowder was identified on the tissue samples from the inside of FOSTER'S mouth, when examined at the Office of the Medical Examiner for Northern Virginia.

**BLOODSTAIN PATTERN EXAMINATIONS:**

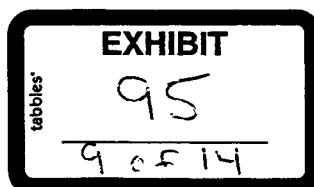
Specimens Q8 through Q10, Q12 through Q15 and Q60 through Q127 as well as the ALSO SUBMITTED documentation was examined in an effort to determine any information of value through a study of the bloodstain patterns present. It is to be noted that a study of the above evidence alone cannot substitute for an in-person examination of the original/unaltered incident scene. The following observations were made:



Photographs of the victim at the incident scene depict apparent blood stains on his face and the right shoulder of his dress shirt. The staining on the shirt covers the top of the shoulder from the neck to the top of the arm and consists of saturating stains typical of having been caused by a flow of blood onto or soaking into the fabric. The stains on his face take the form of two drain tracks and one larger contact stain. Contact bloodstaining occurs when an object bearing wet blood comes in contact with an unstained object, leaving blood on the latter. The drain tracks extend from the right corner of the victim's mouth back toward and below the right ear and from the right nostril over the right cheek toward the temple area and above the right ear. The victim's body is depicted at the scene in a supine position with his face looking generally straight up, and the head not turned to either side. While the exact positioning of the victim's head relative to the ground and the contour of the ground itself are not known, the draining tracks suggest his head was tipped back slightly when the draining of blood occurred.

The contact stain on the right cheek and jaw of the victim is typical of having been caused by a blotting action, such as would happen if a blood-soaked object was brought in contact with the side of his face and taken away, leaving the observed pattern behind. The closest blood-bearing object which could have caused this staining is the right shoulder of the victim's shirt. The quantity, configuration and distribution of the blood on the shirt and the right cheek and jaw of the victim are consistent with the jaw being in contact with the shoulder of the shirt at some time. The available photographs depict the victim's head not in contact with the shirt and therefore indicate that the head moved or was moved after being in contact with the shoulder. The specific manner of this movement is not known.

An examination of the clothing of the victim disclosed extensive bloodstaining over the Q8 shirt and Q9 T-shirt which is inconsistent with that observed at the scene on specimen Q8. It should be noted, however, that during the normal course of such scene investigations, movement of the victim at or from the scene by investigative or medical personnel may result in stain patterns not specifically relevant to reconstruction of the original events surrounding the incident. Photographs taken before and after such actions often display apparent inconsistencies when attempts are made to relate the stain patterns to the incident itself.



SEROLOGICAL ANALYSES:

Grouping tests conducted on the K3 blood sample and the human blood identified on the below-listed specimens disclosed the following:

|    |                           |
|----|---------------------------|
| K3 | "PGM 2-2+, Hp 2, Gc 1F1S" |
| Q8 | "PGM 2-2+"                |
| Q9 | "PGM 2-2+, Hp 2, Gc 1F1S" |

Attempts to further characterize Q8 were inconclusive. Human blood, too limited in amount for conclusive grouping purposes, was identified on Q11A. Blood, too limited in amount for conclusive origin determination, was identified on Q15. A preliminary chemical test for the presence of blood was positive on a stain of human origin on Q10; however, the presence of blood could not be confirmed. A preliminary chemical test for the presence of blood was positive on stains on Q4A and Q11; however, the presence of blood could not be confirmed due to a limited amount of stain. No blood was identified on Q3, Q4, Q5, Q12 through Q14, Q30 or K1.

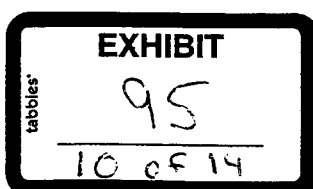
Semen was identified on Q10. No semen was identified on Q4, Q4A, Q5, Q8, Q9 or Q11.

DNA ANALYSIS:

DNA DQ alpha types as listed were detected for the following specimens:

| <u>Specimens</u>              | <u>DNA DQ alpha Type</u> |
|-------------------------------|--------------------------|
| K3 (POSTER)                   | 2,4                      |
| K1 (Muzzle portion of barrel) | 2,4                      |
| Q6F (envelope flap)           |                          |
| Q6F (stamp)                   | 3,4                      |

Based on the DNA DQ alpha results, the source of K3 is included as a potential contributor to the DNA detected in specimen K1. The estimated percentage of selecting an unrelated individual at random from the population having DQ alpha type 2,4 as detected in specimens K3 and K1, is approximately 6 percent of Caucasians, 8 percent of Blacks and 8 percent of Hispanics.



Based on the DNA DQ alpha results, the source of K3 is excluded as a potential contributor to the DNA detected on specimens Q6F.

There was insufficient DNA for DNA DQ alpha analysis on specimens Q3, Q6E, Q23, Q24 and Q29.

No DNA examinations were conducted on specimens Q6A through Q6D and Q30.

#### HAIRS AND FIBERS:

Blonde to light brown head hairs of Caucasian origin which are dissimilar to the head hairs in the K2 known head hair sample from Vincent Foster were found in the debris removed from the Q9 T-Shirt, the Q11 through Q11A pants and belt and the Q12 through Q15 socks and shoes. These hairs have been mounted on glass microscope slides and will be preserved for possible future comparisons.

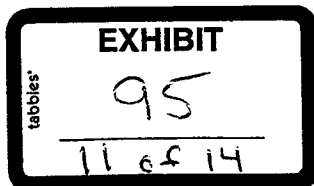
No other hairs which were dissimilar to the known hairs of the deceased and which were suitable for significant comparison purposes were found in the debris from specimens Q4, Q5, Q8 through Q15 or Q31 through Q31C.

Carpet type fibers of various colors were found in the debris from specimens Q4, Q5, Q8, Q10 through Q15, Q31B and Q31C. These colors include white, tan, gray, blue, red and green. These fibers will also be preserved for possible future comparisons. It was also noted that a number of red/dark pink wool fibers were found in the debris from specimens Q9, Q12 through Q15, Q31A and Q31C. The sources of these wool and carpet fibers or their possible significance is unknown to the Laboratory.

No apparent damage, i.e. cuts, tears abraded areas or missing buttons, was noted on the Q4, Q5 or Q8 through Q15 clothing items.

#### OPTICAL EXAMINATIONS:

The wire frame, dark lens glasses, specimen Q17, are non-prescription Ray-Ban sunglasses. There are subtle indentations on the earpieces, an indication of chewing/biting.





The frames and nose pad appear bent, likely due to damage rather than an intentional adjustment. Due to the type of glasses and the nature of their condition, no physical or visual characteristics of the wearer can be determined.

The second pair of glasses, Sanford Hutton frames, specimen Q18, has tinted prescription lenses:

Right eye            -300 sph +150 x 123 degrees  
                          (-150 sph -150 cyl x 33 degrees)

Left eye             -325 or -350 sph +50 x 90 degrees  
                          (-275 or -300 sph - 50 cyl x 180 degrees)

The pupillary distance (PD) is 73mm. The lenses are compound, the wearer is nearsighted and has an astigmatism in both eyes. The rose colored lenses were originally grey. The color change is due to sun exposure. Subtle indentations on the earpieces indicate chewing/biting.

The pair of glasses, specimen Q3, has prescription lenses:

Right eye            -125 sph -125 x 20 degrees  
                          (-250 sph +125 cyl x 110 degrees)

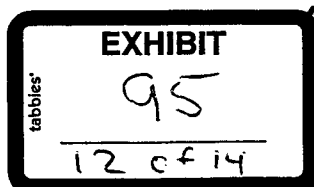
Left eye             -275 sph - 50 x 175 degrees  
                          (-325 sph +50 cyl x 85 degrees)

The PD is 71 mm. The wearer is nearsighted and has an astigmatism in both eyes. Subtle indentations on the earpieces indicate chewing/biting. Also, the earpieces on the Q3 glasses move very easily.

Given the large PD and the prescription of the lenses, the two prescription glasses, specimens Q18 and Q3, could have been worn by the same individual. The small numerical differences regarding the lenses are not significant and could be the result of analytical error when examining the patient, medications taken by the patient concurrent with their examination, analytical error when preparing the lenses or any combination thereof.

#### MINEROLOGY:

The clothing and the paper on which the clothes were dried, specimens Q4, Q5, Q8 through Q15 and Q31, respectively, did not contain coherent soil. However, a few, small particles of mica were observed in the debris from the clothes the



victim was wearing when he was found by law enforcement authorities, specimens Q8 through Q15, and the drying paper, specimen Q31. The presence of a few, small particles of mica on these specimens is reasonable given the micaceous soil found at the crime scene. Debris recovered from the victim's jacket and tie, specimens Q4 and Q5, found in the victim's car, did not contain like mica.

**DOCUMENT:**

Indented writing in the wording "VU Parking Ticket" was observed on the back of the Q6b "Ty Tippet" business card.

No other indented writing was observed on specimens Q6, Q16, Q19 through Q22, Q28, and Q29.

**PHOTOGRAPHIC:**

The 35mm color negatives (Q32) were examined to locate frames for photographic enhancement. The selected frames (5, 6, 7, 8, 9, 10, 17, 18) were printed using Kodak Ultra print paper to produce maximum image detail. Due to the negatives having been underexposed during the photographic process, limited detail could be extracted from each of the selected frames.

**KEY EXAMINATIONS:**

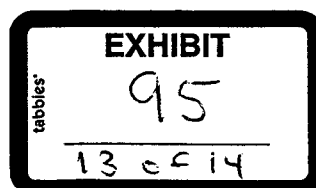
Specimen Q7 consists of a key ring containing four keys, a plastic tab and a metal tag with the inscription:

THANK YOU  
COOK JEEP SALES  
Little Rock, Ark.  
Ph 374-4848

Examination of the four keys determined they are consistent with the type of keys utilized in door and cabinet locks.

The Q7A key bears the inscription. "U.S. PROPERTY DO NOT DUPLICATE" and has Medeco type cuts. Such cuts indicate that this key was intended for use in high security locks.

The Q7B key is of the type utilized in double bitted cam locks which are used for cabinet drawers, vending machines, lock boxes, etc.



The Q7C and the Q7D keys are conventionally cut keys which are utilized in standard door locks.

**FINGERPRINT:**

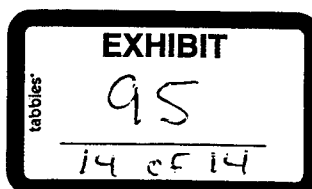
You will be separately advised concerning the results of the requested latent fingerprint examinations.

**ADMINISTRATIVE/DISPOSITION:**

RFLP DNA examinations are continuing on specimens K3 and Q10 and will take several weeks to complete. You will be advised of the results of those examinations as soon as they are completed.

The photographs produced during the above-mentioned photographic examinations of specimen Q32 and specimen Q32 were returned to SSA Larry Monroe on May 9, 1994.

Specimens Q60 through Q72, Q73 through Q86 and the negatives, photographs and slides produced from the ALSO SUBMITTED film from Laboratory Number 40414002 S QV QW WP AL and specimens Q101 through Q127 were returned to SSA Colombell on May 3, 1994. You will be separately advised concerning the disposition of the remaining submitted specimens.



**CONFIDENTIAL**

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## FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/10/94

Officer FRANZ JOSEF FERSTL, U.S. Park Police (USPP) was advised of the identities of FBI Agents and He was further advised that the agents wished to interview him regarding his knowledge of events surrounding the death of VINCENT FOSTER at Fort Marcy Park on July 20, 1993.

FERSTL advised that on July 20, 1993, he was working a 2:00-10:00 p.m. shift and was responsible for patrol of the George Washington Parkway. At approximately 6:15 p.m., the USPP dispatcher instructed him to proceed to Fort Marcy Park to investigate the report of a dead body. Enroute to the park, another officer, Officer FORNSHILL, also came on the radio stating that he was responding also.

FERSTL stated that he arrived at the park at approximately 6:30 p.m., and he remembers a disabled Mercedes at the entrance to the lot. He stated that as he drove into the parking lot, he saw a late model, light-colored car that he later learned was FOSTER's vehicle. He stated that there was a second vehicle towards the back of the parking lot. To the best of his recollection, when he arrived, the only other USPP officer present in the park was Officer FORNSHILL, adding that FORNSHILL had already headed up into the park itself looking for the body. Officer FERSTL stated that Fairfax emergency vehicles were already on the scene and emergency personnel were searching the park in an effort to find the body.

FERSTL stated that he made his way up to where the body had been located, stating that when he arrived, the only persons present were Officer FORNSHILL and one or two Fairfax County medics. FERSTL advised that he can't recall if the emergency technicians were in the process of checking the body for life signs or whether they had already done that. FERSTL stated that he did not see Officer FORNSHILL or the medical technicians touch or move the body in any manner. FERSTL advised that he did take a look at the body from a position at the top of the berm, looking down at the body from approximately three to five feet

Investigation on 5/2/94 at Dumfries, VA File # 29D-LR-35063

by \_\_\_\_\_ Date dictated 5/6/94

OIC 000266

EXHIBIT

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 1 of 3

29D-LR-35063

**CONFIDENTIAL**Continuation of FD-302 of FRANZ JOSEF FERSTL, On 5/2/94, Page 2

from the top of the head. He stated that he did not move down the berm or approach the body from the sides or from the bottom of the berm. FERSTL advised that he observed a small amount of blood around the mouth, adding that the blood did not appear fresh. FERSTL did not recall any blood coming from the nose, nor did he recall any blood on the shirt. He stated that the head was pointed straight up toward the sky and the eyes were open. FERSTL advised that he did see a weapon in the victim's right hand, adding that he had already been told by Officer FORNSHILL that there was a gun in the hand, so he was probably looking for it.

FERSTL advised that the body was clad in a white dress shirt, no tie, dress pants, dark in color. He stated that the shirt was very clean and he does not recall any blood stains or dirt stains on the shirt.

FERSTL pointed out his primary responsibility was to secure the crime scene. He added that as soon as he took a look at the body, he returned to his police cruiser, obtained police crime scene tape, and then returned to the death scene and taped off the area. In doing this, Officer FERSTL stated that he did not see any other evidentiary items in the area and did not see any signs indicating that there had been a struggle. He specifically stated that he did not see any wine bottles or other debris in close proximity to the body. FERSTL advised that when he returned to the scene a second time, Officer FORNSHILL was still present; to the best of his recollection, the Fairfax medical people were in the process of returning to the parking lot. FERSTL advised that he also took several polaroid photos of the crime scene, adding that he is not sure if he did the photography or taping first. He stated that to the best of his recollection, on returning a second time to the death scene, the body appeared to be in the identical position it was when he first observed it.

FERSTL stated that to the best of his recollection, he took approximately seven photos; he cannot recall if he initialed or dated them, but he does not believe he did so. FERSTL advised that at some point, Sergeant EDWARDS arrived at the death scene. He thinks it was after he had taped off the area and taken the polaroid shots. FERSTL was not sure who he gave the polaroid photos to, stating that it was either Sergeant EDWARDS or one of the other investigators. FERSTL advised that USPP Investigators

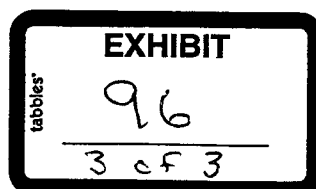
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Continuation of FD-302 of FRANZ JOSEF FERSTL, On 5/2/94, Page 3

CHERYL BRAUN and JOHN ROLLA also arrived on the scene, adding that at that point in time, Sergeant EDWARDS instructed him to go back to the parking lot and see if they needed assistance there. FERSTL stated that Investigator BRAUN asked him to get the full names of any witnesses who might be present in the park, as well as identifying data from vehicles parked in the parking lot. FERSTL states that he recalls assisting Officer JULIE SPETZ in interviewing a couple (white male and white female) who had been located in the park. FERSTL advised that this couple informed the police that there had been a truck or van in the parking lot earlier on and that the driver (no further description) had gotten out, opened the hood, walked into the wooded area, and then came back and drove off.

FERSTL stated that Officer CHERYL BRAUN was in the process of searching the FOSTER vehicle and he recalls her finding White House identification in the front passenger seat. FERSTL stated that he remained in the parking lot until the ambulance came and removed the body. FERSTL advised that he did not return to the death scene a third time, nor was he present at the death scene when other officers took polaroid or 35mm pictures. He has no recollection of any of the officers checking the FOSTER car to see if the engine was still hot. FERSTL advised that he accompanied the tow truck that removed the FOSTER vehicle to the USPP Anacostia Station, insuring that the vehicle was properly stored and not in any way tampered with during the towing process. He stated that that was the end of his involvement with the FOSTER death investigation.



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Case # 30502 @ 1504

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FARRAR CO ME

764-4640 DR BIER

MCLEAN VFD ~~ME~~ MIL

TRANSPORT TO FARRAR HOSP.

FARRAR CO. ENGINE 1

Capt. Hume, 5-31-94

Another page of  
notes w/ names of  
medics first on scene

was given to  
Inv. Roll # of  
Inv. Brand on  
date of incident.  
Chris Hodelman

EXHIBIT

97

000365

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## FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/2/94

LT. PATRICK STEVEN GAVIN, U.S. Park Police was advised of the identities of FBI Agents \_\_\_\_\_ and \_\_\_\_\_ He was further advised that the agents wished to interview him re his knowledge of events surrounding the death of VINCENT FOSTER at Fort Marcy Park on July 20, 1993.

LT. GAVIN stated that he was the Shift Commander for the 2:00 p.m. to 10:00 p.m. shift on July 20, 1993. He stated that when the U.S. Park Police dispatcher put out a report of a dead body at Fort Marcy Park, he proceeded to the park, arriving at approximately 6:30-6:45 p.m. To the best of his recollection, the following U.S. Park Police officers were present at the park when he arrived: Officer KEVIN FORNSHILL, Sergeant BOB EDWARDS, Officer FRANZ FERSTL, Investigator CHRISTINE HODAKIEVIC. He stated that Investigator HODAKIEVIC met him at the parking lot and later directed him up to where the body had been discovered. To the best of his recollection, Office KEVIN FORNSHILL and Sergeant BOB EDWARDS were not in the parking lot when he arrived, adding that they had already gone up to where the body was found. LT. GAVIN stated that Fairfax County Medical personnel were also in the Fort Marcy parking lot and it was his understanding that they had already been at the death scene and examined the body, determining that FOSTER was dead.

LT. GAVIN stated that when he first pulled into Fort Marcy Park, he noticed a disabled Mercedes parked off to the side of the entrance ramp leading up to the parking lot. He also noted what he later learned was FOSTER's Honda with Arkansas tags parked off to the left and in the front part of the parking lot and a white Nissan which was parked in the rear of the lot.

LT. GAVIN stated that when he viewed the body, he was standing approximately three feet above the head, on the top of a berm, looking down at the body. He stated that there was a path directly in front of the cannon that went over and then down the berm. LT. GAVIN stated that the body was lying on the down side of the berm, in the middle of the path. He described the path as being not very well worn and to some degree overgrown with

Investigation on 4/28/94 at Washington, D.C. File # 29D-LR-35063

by \_\_\_\_\_ Date dictated 4/29/94

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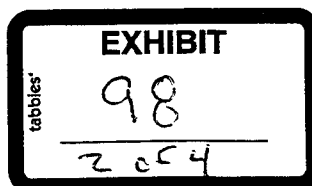
Continuation of FD-302 of LT. PATRICK STEVEN GAVIN . On 4/28/94 . Page 2

foliage.

LT. GAVIN advised that he took a cursory look at the body and his only recollections are that there was a trickle or what appeared to be blood coming out of the mouth, running down the right side of the face. He stated that the face was pointing up toward the sky. He did not recall seeing blood coming from the nose, nor does he recall any blood or blood stains on the shirt. LT. GAVIN stated that there could have been more blood present on the shirt or face, but that he does not recall seeing it. He also recalls seeing the gun in the right hand with the thumb in the trigger guard, adding that the two things he focused on were the blood around the mouth and the gun in the hand. He stated that he did not proceed down the berm on either side of the body because he did not want to disturb the crime scene, adding that he was unable to furnish any other details regarding the appearance of the body. He does recall checking the area out at the top of the berm and around the cannon, looking for signs of a possible struggle or evidence of a mugging; he stated that he saw no such signs.

LT. GAVIN was asked to review thirteen polaroid death scene photographs (8x10s). After reviewing the photographs, he again reiterated that the only blood that he recalls is the trickle coming out of the mouth. He does not recall blood coming from the nose, nor does he recall blood on the shirt. He again reiterated that he only took a cursory look at the body from a position at the top of the berm and that there could have been additional blood on the face and/or clothing.

LT. GAVIN stated that he has extensive experience as a Emergency Medical Technician, having worked as a paramedic in the Aviation Section, USPP from 1978-1992. After reviewing the death scene photos, he pointed out that the neck of FOSTER appears to be hyperextended; he pointed out that Emergency Medical Technicians "instinctively open airways by hyperextending the neck." He noted that this procedure makes it easier to find a pulse and check the carotid artery and also opens the airways allowing the victim to breathe easier. In the course of the interview, portions of the U.S. Park Police Report were referred to, specifically the report of Officer JOHN ROLLA which states that Fairfax County Emergency were on the scene and checked the carotid artery for pulse. LT. GAVIN stated that he himself did not see anyone touch or move the body nor did he see anyone



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29D-LR-35063

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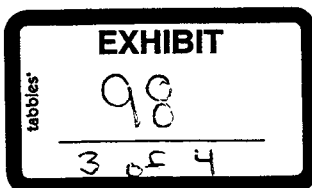
Continuation of FD-302 of LT. PATRICK STEVEN GAVIN . On 4/28/94 . Page 3

administering such an emergency procedure. LT. GAVIN stated that his investigative officers did take a series of 35mm and polaroid shots of the death scene. He stated that he was not sure if they took the 35mm or polaroid shots first, nor was he able to comment at what point in time these photos were taken.

LT. GAVIN stated that he stayed in the area for approximately 30-45 minutes, insuring that witnesses in the parking lot were interviewed and the vehicles in the parking lot were checked. By the time he left, the evidence officer, PETER SIMINELLO, had arrived on the scene. LT. GAVIN stated that he thought that the victim might possibly have been a government appointee because of the Arkansas tags. He noted, however, that the White House identification was discovered in the vehicle after he left the scene. To the best of his recollection, one of the detectives at the scene called him later in the evening, informing him that they had found White House identification for FOSTER. He stated that within ten minutes of receiving that call, he called the U.S. Secret Service, notifying them. LT. GAVIN stated shortly thereafter (within 5 to 10 minutes), MR. BILL BURTON, who identified himself as the Assistant White House Chief of Staff, contacted him by phone. LT. GAVIN stated that he asked for a callback number and was provided two numbers by BURTON; (202) 456-1414 and (202) 456-6797.

LT. GAVIN states that to the best of his recollection, MR. BURTON first inquired about whether the U.S. Park Police had checked the registration on the gun that was used, asking if they knew whose gun it was. LT. GAVIN stated that he informed BURTON that the Park Police did not have such information. LT. GAVIN recalls that at about the same time he received a call from another White House staffer identified as DAVID WATKINS. As best he recalls, WATKINS also inquired about the weapon and to the best of LT. GAVIN's recollection, informed GAVIN that he was a personal friend of FOSTER's and wanted to be with the police officers when they made notification to the family.

LT. GAVIN stated that he kept notes of conversations and calls he handled that night and provided interviewing agents with a typed copy of his notes. Review of his notes by himself and interviewing agents confirms that on the night of July 20, 1993, either he or the other U.S. Park Police officers either spoke by phone or in person with the following individuals:



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Continuation of FD-302 of LT. PATRICK STEVEN GAVIN, On 4/28/94, Page 4

CHRISTINA TEA, Fairfax County Hospital - she called him stating that there were White House people at the hospital who wanted to see the body and should she permit this.

OFFICER TIPTON, Fairfax County Police Department - he talked to TIPTON also re White House staffers wanting to see the body and informed TIPTON to "let them see the body but make sure they don't disturb or take any effects."

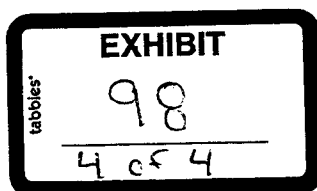
CRAIG LIVINGSTONE and WILLIAM KENNEDY, identified as White House officials - both these men were at the hospital and wanted to view the body.

DEE DEE MYERS, White House Press Secretary - was provided a fax press release per instructions from MAJOR HINES of the U.S. Park Police.

TOM CANVIT and JOHN KEENEY, U.S. Secret Service - calling concerning White House passes and/or classified documents in vehicle and were provided assurances that the car was sealed for processing in the morning.

Review of LT. GAVIN's notes reflects the following notation; "engine warm on vehicle." LT. HINES pointed out that he did not check the engine on the FOSTER vehicle and to the best of his recollection, that information was furnished to him by one of the officers on the scene. He stated that he does not believe the actual engine was checked, but that someone may have felt the hood.

In concluding, LT. GAVIN provided the following points of contact: home number ; work number (912) 267-2489. LT. GAVIN pointed out that as of May 1, 1994, he will be living and assigned to the Federal Law Enforcement Training Center in Glenco, Georgia.



**CONFIDENTIAL**

- 1 -

## FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/4/94

Renee M. Apt, Investigator, United States Park Police (USPP) (telephone number 690-5050) was interviewed at the Annocostia Operations Facility, Washington, D.C. Ms. Apt was advised as to the identity of the interviewing agent and informed of the nature of the inquiry. She then provided the following information:

Investigator Apt advised that around 6:00 pm on July 20, 1993, she was informed that a dead body had been located at Fort Marcy Park, Virginia and in the company of U.S. Park Police personnel, John Rolla and Cheryl Braun responded to this call arriving at the Fort Marcy parking area at approximately 6:30 pm. To the best of her recollection, Identification Technician, Peter Simonello (USPP), also assigned to the Annocostia Operations Facility, responded in a separate vehicle arriving at the park shortly after her arrival with Mr. Rolla and Ms. Braun.

According to Investigator Apt, upon arriving at the Fort Marcy parking lot, her initial actions were to obtain necessary vehicle description and identification for a Mercedes vehicle which had been abandoned on the ramp leading up to the Fort Marcy parking lot. Subsequent to obtaining this vehicle information, she returned to the Fort Marcy parking lot where she observed Officer Spatz (USPP), interviewing a middle-aged, white couple who had apparently been picnicking in an area south of the parking lot. Ms. Apt then advised she immediately proceeded to the death scene in the company of Investigators John Rolla, Cheryl Braun with Officer Peter Simonello following them to the scene. She recalled that at the death scene she observed Sergeant Edwards, USPP and possibly Officers Franz Ferstl and Christine Hodakievic, USPP.

Upon arriving at the death scene, she specifically observed Sergeant Edwards in the process of completing polaroid photography of the body and to the best of her recollection, believes that contemporaneous with Edwards finishing his polaroid photography, Investigator John Rolla commenced taking a series of polaroid photographs. Upon Investigator Rolla completing his

Investigation on 5/2/94 at Washington, D.C. File # 29D-LR-35063

by \_\_\_\_\_ Date dictated 5/2/94

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EXHIBIT

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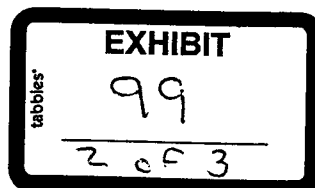
29D-LR-35063

Continuation of FD-302 of Renee M. Apt, On 5/2/94, Page 2

polaroid photography, she believes that Officer Peter Simonello commenced taking 35mm photographs of the body and the surrounding environs. Investigator Apt maintained, however, that under no circumstances did any of the USPP personnel who arrived on the scene with her touch or any way disturb the body prior to the above described photographs being taken.

Investigator Apt advised that upon arriving at the scene she took personal responsibility for taking notes of the death scene and as such observed the decedent from a series of vantage points. She advised that after viewing a series of enlarged polaroid photographs obtained from USPP that these photographs were a true and accurate depiction of the decedent's body and the surrounding area which she personally observed on July 20, 1993. She stated that in her opinion, portions of the facial blood appeared dry while other portions appeared to be liquid in nature. Additionally she did observe a segment of blood on the decedent's lower right cheek which appeared to be transferred blood and specifically mentioned observing a number of flies on the decedent's face to include flies in the mouth and in the nostrils with numerous other flies swarming around the body.

In regards to the positioning of the body, Investigator Apt advised that the head was straight up and positioned slightly below the top of the berm with the arms at the side. She also stated that the decedent's clothing was not ruffled or in disarray specifically stating that the decedent's white shirt was opened and she could view the undershirt. She stated the shirt was devoid of any dirt or soil but as noted in the death scene polaroid photographs did contain blood on the upper right shoulder portion of the shirt. In regards to the decedent's trousers, Investigator Apt stated that like the shirt, the trousers were relatively neat, noting that the bottom of the trousers were slightly hitched indicating to her the possibility of the body having slightly slid down the embankment. Her further observations included noting in the decedent's thumb of the right hand, a revolver with a portion of the right hand slightly cupped over the revolver. Additionally she observed what in her opinion were powder burns in the web of the right hand. In regards to the spotting of the revolver in the decedent's right hand, Investigator Apt did state that the weapon was not clearly observable from a viewing point on top of the berm.

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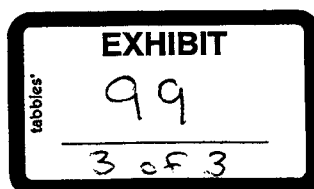
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Continuation of FD-302 of Renee M. Apt, On 5/2/94, Page 3

In response to questions regarding her observations of any individuals touching the body, Investigator Apt advised that subsequent to all polaroid photographs being taken, she did observe Investigator Rolla check the decedent's fingers for the presence of rigamortous but could not recall Investigator Rolla or any other individuals at the death scene physically touching the body prior to the Medical Examiner, Dr. Haut arriving on the scene.

In addition to providing the above sighted observations of the decedent's body, Investigator Apt advised that she also checked out the immediate vicinity of the death scene but did not observe any items of an evidentiary nature. Furthermore, based on her observations of the death scene, there was no indication that the vegetation had been trampled; that there had been any sign of a struggle at the scene or for that matter any evidence that the body had been physically positioned at the death scene.

Investigator Apt stated that she remained at the death scene until the Medical Examiner, Dr. Haut arrived and believes, in fact, that for a short period of time she was the only individual at the death scene. According to her recollection, she believes that Officer Braun escorted the Medical Examiner to the scene where the Medical Examiner in the presence of herself, John Rolla and possibly Cheryl Braun and Pete Simonello examined the body in detail. This, according to Investigator Apt, included rolling the body over with the body slipping down the hill requiring the officers at the scene to assist in stopping the slide. After a short period of time, the deceased, with the assistance of Emergency Rescue personnel was placed in a body bag and then placed on a gurney and removed to the parking lot for transportation to Fairfax, Virginia Hospital. She advised that after the body was removed from the Fort Marcy parking lot, she returned to the Annocostia substation delivering her notes of the death scene to Investigator John Rolla.



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**CONFIDENTIAL**

- 1 -

## FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/6/94

John C. Rolla, Investigator, Criminal Investigative Branch United States Park Police (USPP), telephone number 690-5050 was interviewed at the Office of the Independent Counsel, 1001 Pennsylvania Avenue, Washington, D.C. Investigator Rolla was advised as to the identity of the interviewing agent and informed of the nature of the inquiry. He then provided the following information.

In response to a USPP radio communication that a dead body had been discovered at Fort Marcy Park, Investigator Rolla, in the company of USPP investigators, Braun and Apt arrived at Fort Marcy parking lot at approximately 6:35 pm on July 20, 1993. With the concurrence of Investigator Braun, Investigator Rolla was designated as the primary investigator for this matter, with Investigator Braun primarily handling the investigation in the parking lot at Fort Marcy. Investigator Rolla advised that upon arrival at the Fort Marcy Park the above officers were briefed by USPP Officer Ferstl and informed that the decedent had apparently died of a self inflicted gunshot wound to the head and was tentatively identified as Vincent Foster, Little Rock, Arkansas. Rolla also advised that a 1989 Honda Accord with Arkansas license plate discovered in the Fort Marcy parking lot was thought to belong to the decedent.

Rolla advised that after this orientation and in the company of officers Apt and Ferstl and possibly Officer Hodakievic proceeded to the death scene where they joined up with Sergeant Edwards (USPP) and possibly Officer Julie Spatz (USPP). After a briefing by Sergeant Edwards, which included Edwards exhibiting to Rolla a number (exact number unknown) of polaroid photographs of the dead body, he was informed that the body had not been touched and personally observed that the area around the death scene had been taped off.

According to Rolla, he observed the decedent from a series of vantage points, stating that the decedent's head was straight up, resting just below the crest of a berm, eyes slightly open and that facial blood consisted of blood leading

Investigation on 4/27/94 at Washington, D.C. File # 29D-LR-35063

by \_\_\_\_\_ Date dictated 5/3/94

OIC 000222

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EXHIBIT

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Continuation of FD-302 of John C. Rolla, On 4/27/94, Page 2

from the right nostril to the side of his right face and blood emanating from the right side of the decedent's mouth. He further advised that the facial blood was still wet but starting to dry. He also observed a pool of blood under the decedent's head which appeared wet, but was also in the process of drying. Rolla also observed a deposit of blood on the decedent's shirt in the area of the right upper shoulder which also appeared to be wet but drying.

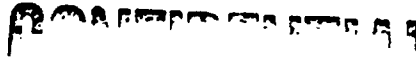
Rolla further related that the decedent's arms were straight along the side of his body, with his legs straight. With the exception of the blood previously noted on the right shoulder area of the decedent's shirt, Investigator Rolla observed that the decedent's shirt appeared relatively neat and unruffled with no observable signs of soil, dirt or debris. The trousers, according to Rolla, were relatively neat, void of any signs of blood or other extraneous matter. He advised that from his observations of the body, there were no signs of struggle or any evidence to suggest that the body was physically placed at the crime scene or tampered with in any form or fashion.

After the above observations were noted, Investigator Rolla positioned himself to the body's left side and leaned across the body and physically observed a revolver in the decedent's right hand with the right thumb lodged between the trigger and the trigger guard. Rolla indicated that to the best of his recollection, approximately 15 minutes after arriving at the death scene, he took a series of polaroid photographs of the decedent's body and the immediate death scene area to include photographing a pair of dark rimmed eyeglasses which were partially covered by foliage and which were located at the bottom of a slope at a distance of approximately 15 feet from the decedent's feet.

Subsequent to taking the above described photographs, Investigator Rolla does recall lifting the decedent's left hand to check for lividity and advised that the body in his opinion was still relatively warm with no observable signs or indications of rigamortous. Investigator Rolla qualified his statement, however, by noting the extreme heat that day but still opined that he thought the body was dead for two to three hours. Additionally, Investigator Rolla advised that he specifically recalled searching the decedent's front pockets in an attempt to locate the keys to the decedent's 1989 Honda, advising that he was unsuccessful in locating the car keys. Investigator Rolla

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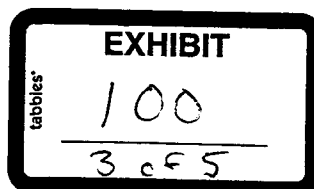
Continuation of FD-302 of John C. Rolla . On 4/27/94 . Page 3

maintained that this search of the decedent's pockets took place after both he and Identification Technician Peter Simonello (USPP) took photographs of the decedent's body and the death scene area. In this regard, Investigator Rolla reviewed a series of polaroid photographs supplied by the USPP and advised that these polaroid photographs were a true and accurate representation of his observations of the decedent's body and the death scene at Fort Marcy Park on July 20, 1993.

In regards to the above noted polaroid photographs, which Rolla stated were a combination of the photographs he and Sergeant Edwards took at the scene, his attention was drawn to a transfer-like pattern of blood forming a straight lower margin at the right side of the decedent's neck and chin. Investigator Rolla advised that this blood pattern did give him some concern but believed that this blood pattern could possibly have occurred as a result of the decedent's head twisting or jerking at the time of death or for that matter could have resulted from activities performed by EMT personnel when they were checking for vital signs. Investigator Rolla reiterated that during the period he was at the death scene, he did not touch the body or observe anybody else touch the body prior to the completion of all death scene photography.

In addition to the above functions performed by Investigator Rolla, he advised that he physically checked the surrounding area of the death scene, which failed to reflect any footprints, tire tracks, or any trampled vegetation. He did advise however, that approximately 15 feet to the right of the 2nd cannon in an open area, he did observe an empty bottle of what he thought was wine cooler, with the bottle shaped similar to a Mystic shaped soft drink. To the best of his recollection, the label on the bottle was faded, was empty of any contents and appeared to have been at the location for a extensive period of time.

According to Investigator Rolla, at approximately 7:45 pm, Fairfax County Coroner, Dr. Donald Haut, arrived at the death scene and examined the decedent. Rolla recalls rolling the decedent's body over at which time he observed an extensive amount of blood on the back of the decedent's shirt and on the back side of his head.



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**CONFIDENTIAL**Continuation of FD-302 of John C. Rolla, On 4/27/94, Page 4

Immediately after Dr. Haut's examination, Rolla specifically remembers removing from the decedent a Seiko wristwatch, a wedding ring and a Motorola pager which was in the off position. Under the supervision of Dr. Haut, the decedent was placed in a body bag, and with the assistance of two ambulance drivers, was moved from the death scene to an ambulance at Fort Marcy parking lot and eventually transported to Fairfax Hospital. According to Investigator Rolla, no official time of death was noted by Dr. Haut.

Rolla continued by stating that after departing the death scene he returned to the Fort Marcy parking lot where the search of the 1989 Honda was being coordinated by Investigator Braun and photographs of the Honda were being taken by Officer Simonello. Rolla, however, did physically observe the Honda and its contents stating that he noted a man's jacket, similar to the decedent's trousers, was neatly folded over the back of the front passenger seat and that further examination of the jacket noted a wallet inside the left pocket which contained, to the best of his recollection, approximately \$300 in cash. While he did not take control of the material in the 1989 Honda, he does remember observing a White House identification badge with a photo of Vincent Foster located on the front passenger seat under the suit jacket. Additionally he recalls a piece of paper in the vehicle with the names of what apparently were three Washington, D.C. physicians. Investigator Rolla could furnish no information relative to the time the 1989 Honda arrived at Fort Marcy Park or any vehicle information which might assist in determining time of arrival at Fort Marcy Park.

Investigator Rolla departed the Fort Marcy Park at approximately 8:45 pm and in the company of Investigator Braun travelled to Fairfax County Hospital where they located in the right front trouser pocket of the decedent the keys for the 1989 Honda. Subsequent to the discovery of these keys, Investigator Rolla advised that he was telephonically contacted by Lieutenant P. Gavin, USPP, with the instructions to telephonically contact Mr. David Watkins, a personal friend of the Foster family who had requested permission to join Investigator Rolla in the death notification to Mrs. Lisa Foster. Immediately after receiving these instructions, Lieutenant Gavin recontacted Investigator Rolla with the instructions to call Mr. Bill Kennedy at The White House who was seeking permission from the USPP to physically identify Mr. Foster's body at Fairfax hospital. Rolla advised that in addition to contacting Mr. Watkins to verify that Mr.

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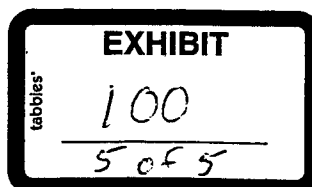
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Continuation of FD-302 of John C. Rolla , On 4/27/94 , Page 5

Watkins would join him in the death notification, Investigator Rolla advised security officials at Fairfax Hospital of USPP approval for Mr. Kennedy and, he believes, a Mr. Craig Livingston to identify the decedent's body at Fairfax Hospital.

Investigator Rolla advised that after the above noted notifications were made, both he and Investigator Braun picked up Mr. David Watkins at his residence in the Georgetown section of Washington, D.C. and with Mrs. Watkins following them in her personal vehicle, proceeded to the Foster residence at

Due to the number of people in the Foster residence at this time, Rolla advised that it was extremely difficult to pose any questions relative to Mr. Foster's death. However, he does recall eventually conversing with Mrs. Foster specifically asking her if she had any indication that anything was wrong with her



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**DEPOSITION OF CHERYL A. BRAUN  
IN RE: S. RES. 229**

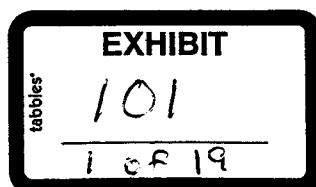
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**SATURDAY, JULY 23, 1994**

**U.S. SENATE,  
COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS,  
Washington, DC.**

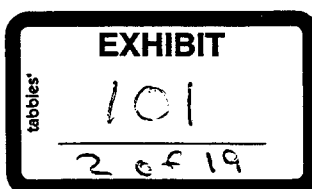
**Deposition of CHERYL A. BRAUN, called for examination pursuant to notice of deposition, at 2:20 p.m. in the Dirksen Senate Office Building, Room SD-632, before JANE W. BEACH, a Notary Public within and for the District of Columbia, when were present:**

**GLENN F. IVEY, Esq.  
Majority Counsel  
ROMAN E. DARMER, III, Esq.  
PAUL GOLDENBERG, Esq.  
IRA PAULL, Esq.  
JULIE FALLON, Esq.  
Minority Counsel  
Committee on Banking, Housing, and Urban Affairs  
U.S. Senate  
On behalf of the Committee.**



- 1 A Right.
- 2 Q And this Mercedes was blocking the entrance ramp?
- 3 A Entrance ramp. Right.
- 4 Q So you used the exit ramp to get to the car?
- 5 A Right.
- 6 Q Did you ever find out who owned the Mercedes?
- 7 A No, I didn't.
- 8 It was--I know that a female operator had left it
- 9 there and gone to seek assistance. But who she was I don't
- 10 know.
- 11 Q Okay. And who was at the park when you got
- 12 there?
- 13 A When I got there, Officer Spetz was there,
- 14 Officer Fornshil was there, Lieutenant Gavin was there.
- 15 There was a sergeant there--who was it--D2
- 16 sergeant. I am drawing a blank on who it was. And D2 is
- 17 the George Washington Memorial Parkway.
- 18 Q Was it Sergeant Edwards?
- 19 A Yeah. That's right.
- 20 It was.
- 21 Q Anybody else there?
- 22 A Let me think.

- 1 Yeah, I think there was one other officer.
- 2 Fornshill, Officer Fornshill.
- 3 Q Any medical personnel?
- 4 A No medical personnel.
- 5 There was a couple, a man and a woman, who were
- 6 there. And I don't recall what their names are.
- 7 Q Okay. What was going on when you got there?
- 8 A When we pulled up, Officer Spetz was speaking to
- 9 the man and the woman, and so I approached to find out what
- 10 she had found out from them and to speak to them myself.
- 11 And they had indicated that they were there, you
- 12 know, like having a picnic and that they had not heard
- 13 anything and that they then provided their information to
- 14 Officer Spetz, and she gave it to me on a little piece of
- 15 notepaper.
- 16 Q Who was in charge of the people that were there
- 17 at this point?
- 18 A I was. As far as the investigation?
- 19 Q Uh-huh.
- 20 A I was.
- 21 I was the senior investigator.
- 22 Q You were the senior person?



1 A Yeah.

2 Q All right.

3 Then after you got this information from Spetz,  
4 what did you do?

5 A We--well, we were waiting initially for Officer  
6 Simonello to get there, and he got there a couple of minutes  
7 after we did, and then we all went with, I think it was,  
8 Officer Ferdstall who took us up to the scene.

9 I don't recall, I don't--for some reason I don't  
10 think Officer Fornshil was still there because I think he  
11 was working a Wolf Trap detail or something and he had to  
12 respond to that.

13 But we went up and looked at the body and started  
14 taking pictures.

15 Q Did you go to the body?

16 A Yes.

17 Yeah. We all walked up there.

18 Q Who started taking pictures?

19 A Officer Rolla was taking pictures with the  
20 Polaroid, what we call backup photos, and Officer Simonello,  
21 who is the ID tech, was taking the 35-millimeter photos.

22 Q Had the area been roped off?

1 A No, we didn't actually because of closing the  
2 gate. That kept anybody else from coming into the area.

3 So we had actually a very broad perimeter, and  
4 there--it's, the area where the body was was a good  
5 probably, I'd say, like close to a quarter-mile walk from  
6 the parking lot.

7 Q Did you drive up to that area?

8 A Not easily, no, because you have to go up a  
9 little bit of a ravine and then it levels off a little bit  
10 and then you go up a little further and it's all wooded and  
11 some grass areas.

12 So it wouldn't be a matter of where you would be  
13 able to drive up to where it was.

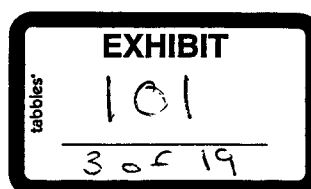
14 Q Okay. And did you see the body?

15 A Yes, I did.

16 Q What did it look like?

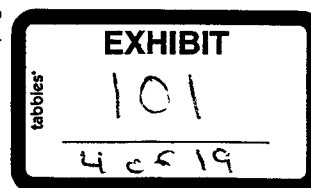
17 A It was laying on the slope of the hill, and it  
18 was a fairly steep grade, you know, probably like 45  
19 degrees. And the head was at the top with the legs  
20 extending down and the arms by the side. And in his right  
21 hand was the gun.

22 Q How close did you get to the body?



1 A I walked right down to right above the head and  
 2 then partially down beside the body.  
 3 Q Okay. Who else was around the body at the point  
 4 that you saw it?  
 5 A Rolla, Detective Rolla was; and Pete Simonello,  
 6 because they were snapping the pictures.  
 7 Q Anybody else?  
 8 A Investigator Abt was right there, but at that  
 9 point she was standing, you know, like up at the top.  
 10 Q How do you spell Abt's name?  
 11 A It's--her last name is A-b-t. Her first name is  
 12 Ryndi--R-y-n-d-i.  
 13 I think that reflects Randy, which--  
 14 Q Okay.  
 15 Now, was there a cannon near the body?  
 16 A Yes, there was.  
 17 Q Okay. How many cannons did you pass before you  
 18 got to this cannon that the body was near?  
 19 A That's a good question, because I haven't been up  
 20 there since.  
 21 (Pause.)  
 22 I don't really remember passing any, but for some

1 reason I seem to think that there was another one that was  
 2 like further off to the side because it's--they look out  
 3 like over toward where the water is, toward the Potomac.  
 4 Q Okay. Is there anything that would refresh your  
 5 memory about it?  
 6 (Pause.)  
 7 Well, if you don't recall, that's all right.  
 8 A I mean without walking up there to the scene, I  
 9 don't know if any of the reports would indicate it.  
 10 Q Okay.  
 11 A I really don't remember now.  
 12 Q Did you stay with the body?  
 13 A I stayed with the body for probably maybe 15, 20  
 14 minutes or so, maybe half an hour, while they were taking  
 15 the photos. And I directed Investigator Rolla to check the  
 16 pockets and see if he could find any identification or a  
 17 suicide note or anything like that, which he didn't have any  
 18 success with that.  
 19 We did find Mr. Foster's glasses down the hill  
 20 from where the body was, you know, maybe about ten feet or  
 21 so.  
 22 Q Was there blood on the body?



1 A Yes, there was.

2 Q Where?

3 A In the nose area and in the mouth area. And  
4 there were lots of flies in the eyes, nose, and mouth.

5 There was also the blood in the--on his shirt in  
6 the area of his right shoulder.

7 That's about all that I saw because I wasn't  
8 there when they actually moved the body later on to put it  
9 into the body bag.

10 Q Okay.

11 What were you doing while they were taking the  
12 photographs?

13 A I was basically directing Investigator Rolla what  
14 to do because he was new in the office.

15 I wanted him to get the experience of handling a  
16 crime scene. So I was directing him what to do, and then I  
17 gave him some instructions.

18 And to help save time, I then went down to the  
19 car to start going through the car to look for  
20 identification and a suicide note.

21 Q Was the car locked?

22 A No, it wasn't.

1 It was open.

2 Q Was there more than one car there?

3 A There was Mr. Foster's car and then there was the  
4 car further down in the lot that had belonged to the couple.

5 Q Okay.

6 So did the couple tell you which car was theirs?

7 A Yeah.

8 Q Okay.

9 A Yeah. Plus the car that was Mr. Foster's car was  
10 close to where you would go into the woods to walk up to  
11 where he was.

12 And it had Arkansas tags on it.

13 Q Did Simonello try to print the car before you  
14 went into it?

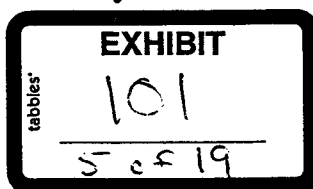
15 A No.

16 We didn't see any reason to do that.

17 It wasn't--you know, it was fairly obvious that  
18 it was a suicide.

19 There was no indication that it was a homicide  
20 scene.

21 Q What were the indications to you that it was a  
22 suicide?





1 A The fact that the gun was in his hand, and that  
2 it was--before I had left, Investigator--or I mean ID Tech  
3 Simonello had said that the gun was trapped on his thumb.

4 That to me would indicate that he fired the  
5 weapon himself.

6 Q Why is that?

7 A Well, if somebody else had put it in his hand, it  
8 wouldn't have been stuck onto his thumb the way it was.

9 Q Did you see any other things that led you to  
10 think it might be a suicide?

11 A Yeah. There was no evidence of a struggle.

12 His clothing was orderly, it was clean; it wasn't  
13 dirty, you know, as if he had been struggling with somebody.

14 The area where he was sitting or ended up lying  
15 was dense foliage, and it would have been very difficult for  
16 anybody to have put him in there without disturbing the  
17 branches and leaving some kind of a sign that there had been  
18 more than one person there.

19 Q By the way, to your knowledge, had he been  
20 pronounced dead at this point?

21 A He had not officially been pronounced dead by the  
22 coroner, no.

1 But it was--I have seen dead bodies before.

2 Q Okay. What was it about the way he looked that  
3 led you to think that he was dead?

4 A He was--his color of his skin, which was drained  
5 of blood.

6 His eyes were rolled up in the back of his head,  
7 with the flies all over him.

8 Q Okay. Do you know if any medical personnel had  
9 worked on him or checked on him or did anything to him?

10 A I have been told afterwards that there had been  
11 medical personnel there, but--

12 Q Did you hear anything about what they had said or  
13 determined?

14 A No.

15 Q Okay. So you then go back to the parking lot  
16 area?

17 A Right.

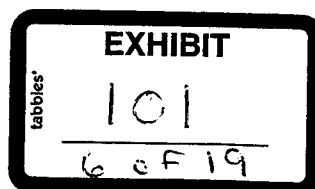
18 Q To look at the car?

19 A Right.

20 Q What do you find in the car?

21 A I went through the car.

22 I found normal stuff in the car, sunglasses,



1 photos, registration.

2 I found on the front--

3 Q Do you remember who the registration was?

4 A Yeah.

5 It was to Vincent Foster.

6 On the front seat of the vehicle was the jacket  
7 which matched Mr. Foster's pants.

8 It was like folded neatly on the seat. Inside of  
9 the jacket was--inside pocket--was his wallet.

10 And as I recall, the credentials I thought were  
11 tucked like not in a pocket but in the jacket like  
12 underneath it or inside the fold of it.

13 And they were the White House credentials which  
14 identified him as Vincent Foster and the picture resembled  
15 the body that we had been looking at.

16 Q Did the name Vincent Foster mean anything to you  
17 at that point?

18 A At that time, no, it did not.

19 Q Okay. But you saw White House credentials?

20 A Right.

21 Q All right.

22 Did that change anything about the way you were

24

1 doing your investigation?

2 A Yeah. Well, that means that notifications had to  
3 be made.

4 So I had another officer make a notification to,  
5 or I asked him to make a notification, to our shift  
6 commander.

7 And then I later found out that that notification  
8 wasn't made, so I made the notification to myself--or I made  
9 the notification myself.

10 Q Whom did you notify?

11 A The shift commander, who was Lieutenant Gavin.

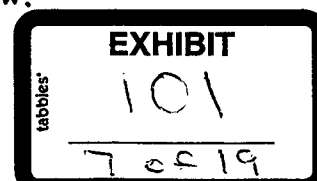
12 Q And why does the fact that it's White House  
13 personnel mean you have to notify a supervisor?

14 A Because then we do what we call a 100-page, which  
15 notifies all of our officials on the department that we are  
16 dealing with somebody who is not an ordinary citizen. I  
17 guess would be the best way to put it, somebody from the  
18 White House.

19 So there would be inquiries and then--

20 Q Inquiries by?

21 A Well, by the White House, by press, by, you know,  
22 other people.



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1 Q Do you know if the Secret Service was notified?

2 A Yes.

3 Lieutenant Gavin made those notifications.

4 Q Did you speak to Gavin on the phone yourself?

5 A Yes.

6 Q Okay.

7 A Or, actually, no, I'm sorry, I did not.

8 I think I called communications and had them  
9 notify Lieutenant Gavin.

10 Let me correct myself there.

11 Q After you did the notification, what did you do  
12 after that?

13 A That was, I guess, probably about the time that I  
14 had finished going through the car and the coroner had  
15 arrived and went up to the scene and pronounced the body.

16 Q Do you remember the name of the coroner?

17 A No, I don't, not without looking at reports.

18 Q Okay.

19 MR. IVEY: Can I take a short break? Is that  
20 okay with you?

21 Off the record.

22 (Recess.)

1 BY MR. IVEY:

2 Q Let me ask you this: Other than the 100-page, is  
3 the fact this was a White House person change the way you do  
4 our investigation? Did it change the situation?

5 A No, it just changed the notifications.

6 Q Okay.

7 A That's all.

8 It didn't change the way we do our investigation.

9 It just changed the fact that we made notifications to  
10 officials because there is going to be inquiries from  
11 outside the department.

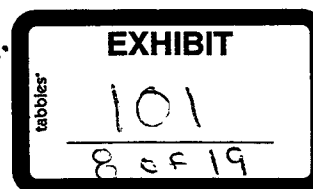
12 Q Okay. Did some of these officials come to the  
13 scene?

14 A No.

15 The only official that came by other than  
16 Lieutenant Gavin was Lieutenant Schmidt, who was--he's in  
17 charge of our narcotics and vice unit.

18 And he stopped by.

19 And at that time I had not found--when he stopped  
20 by, I had not found the credentials yet, and he asked, you  
21 know, was there anything I needed, and I said, "No.  
22 everything's fine. You know, we have a suicide. We're.



1 you know, doing our investigation."

2 He was satisfied, and then he left.

3 Q Okay. So then after the coroner, actually the  
4 medical examiner got there, what did the medical examiner  
5 do? Did you see the medical examiner with the body?

6 A No.

7 Because I was still going through--when he got  
8 there, I was like finishing up with the car.

9 I think I was in the trunk of the car at that  
10 point. So I had somebody else walk him up.

11 I had somebody else walk him up to the scene.

12 And I stayed down and finished what I was doing  
13 in the car, which was going through Mr. Foster's daughter's  
14 school papers and stuff like that.

15 Q Mr. Foster's daughter's school papers?

16 A Yeah.

17 Q How do you know they were Mr. Foster's daughter's  
18 school papers?

19 A Well, they had "Laura Foster" written on them.  
20 And she had some letters in there with her name. And, I  
21 assumed from his age, that this was his daughter.

22 Q What age did you think the Laura Foster was, just

1 by the look of the papers?

2 A Well, by the look of the--it was college  
3 paperwork.

4 So I figured she was probably in her, you know,  
5 early 20s, or 20, in that area.

6 Q What made you think it was college paperwork?

7 A The material.

8 I don't remember specifically what it is at this  
9 point, but the material was college.

10 Q Were they notebooks?

11 A Yeah. They were like notes.

12 And I think there was a couple of textbooks, but  
13 what they were I couldn't tell you.

14 Q And where were these in the car?

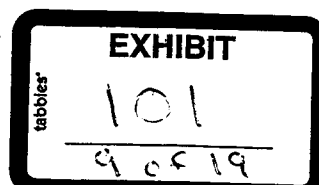
15 A They were in the trunk of the car.

16 Q What else did you see in the car?

17 A As I was saying earlier, the jacket with the  
18 wallet and the credentials.

19 There was pictures in the glovebox, and  
20 sunglasses, a couple of empty cigarette boxes.

21 There was like a canvas bag that had two old  
22 empty beer bottles in it; I don't recall what brand the beer



1 bottles were.

2 Q What kind of canvas bag? What did this bag look  
3 like?

4 A It was like--I don't remember the exact colors,  
5 but it was one of those like L.L. Bean bags or something,  
6 with the--

7 Q Was it a backpack kind of thing?

8 A No, no, no.

9 The kind with the handles, the canvas, you know,  
10 the sturdy canvas with the handles.

11 And I know it was two colors, but what it was I  
12 couldn't tell you.

13 Q Okay.

14 A And there was also, I just remembered, a map on  
15 the floor on the passenger side.

16 Q A map of what area?

17 A The Washington metropolitan area.

18 And it was laying on the floorboard on the  
19 passenger side on the front.

20 Q Was it folded up?

21 A It was folded in a square.

22 It had like the beltway.

1 It was that area.

2 Q So it was folded to show part of the map?

3 A Right. Yeah.

4 I don't know if you've had access to the photos,  
5 but I believe that it does show it fairly clearly in one of  
6 the Polaroids that I took.

7 Q Was it in the trunk?

8 A The map?

9 Q Yes.

10 A No, it was laying on the front floorboard on the  
11 passenger side.

12 And tapes were like the only other thing in the  
13 car.

14 Q Tapes? Musical tapes?

15 A Musical tapes.

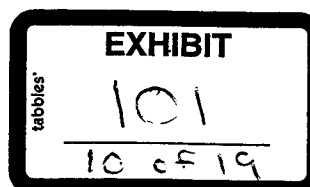
16 Q What kind of music?

17 A I don't recall.

18 I believe they were--it seemed to me it was like  
19 rock, like pop kind of tapes. You could tell it was a  
20 family car, you know.

21 I mean everybody used this car and--so.

22 Q Did you interview anyone else out at the scene



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1 that night?

2 A At the scene? No.  
3 Just the couple when I initially got there, and  
4 then from there we went up to the body and I, you know, got  
5 Investigator Rolla started on the photos and what needed to  
6 be done at that particular scene.

7 Then I went back and took care of the car, and  
8 that was it.

9 We, once the body was loaded and gone to the  
10 hospital, we realized that we still had not found the keys,  
11 and they weren't in the car.

12 So Investigator Rolla and I went over to the  
13 hospital, because I figured he had to have missed them in a  
14 pocket. And I was right. They were in his right front  
15 pants pocket. And I retrieved them.

16 And then we left from the hospital.

17 We had, on the way to the hospital, been  
18 contacted by the shift commander, who advised us to contact,  
19 I think it's Mr. Watkins, and he said that he worked with  
20 Mr. Foster, was a friend of the family, and asked if he  
21 could go and do the notification to Mrs. Foster with us.  
22 which I didn't have a problem with that because that

1 sometimes makes it easier when you're delivering news like  
2 that, to have somebody who is a friend of the family who can  
3 help calm the situation.

4 I think it's David Watkins, I believe is his  
5 name. And so we--

6 Q So you went to the medical examiner?

7 A We went to the hospital.

8 Q Oh, the hospital.

9 A The hospital where the body was taken.

10 In Virginia the bodies are taken to the hospital,  
11 to Fairfax Hospital, and then they are then later moved to  
12 the morgue.

13 Q Now, before the body was picked up and, you know,  
14 put in the body bag and all that, are you aware of anybody  
15 moving the body?

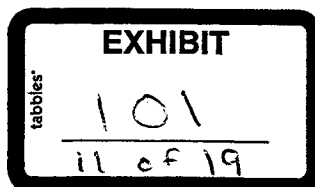
16 A Well, other than Investigator Rolla, you know,  
17 like moving it, looking for identification, I wasn't aware  
18 of anybody moving the body, no.

19 Q Did he do that before or after the--

20 A After.

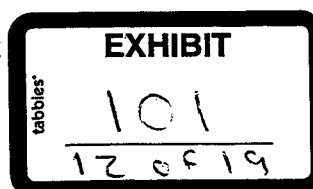
21 Q --pictures were taken.

22 A He did it after. Yeah.



- 1 Q Okay. All right.  
 2 So after you got the keys, did you keep the keys?  
 3 A I believe I did.  
 4 I either hung on to them or I gave them to John  
 5 Rolla.  
 6 Q All right.  
 7 So one of you two had the keys, though?  
 8 A Right.  
 9 Q Did you then go back to the car, or did you go to  
 10 do the notification?  
 11 A We went to do the notification.  
 12 We already had a crane that was coming for the  
 13 car, and we just--what we did was we got a flatbed so that  
 14 they could just load it onto that.  
 15 Q Where were they going to take the car?  
 16 A Down to our lot, down at the--where our criminal  
 17 investigations unit is in Anacostia.  
 18 Q For what purpose?  
 19 A To keep it so that if we felt like we needed to  
 20 go back through the car for any reason later on.  
 21 Q Was the car photographed before or after you went  
 22 through it?

- 1 A It was photographed, I would take picture of an  
 2 area and then go through that area, and then--so it was  
 3 photographed prior.  
 4 Q Okay.  
 5 So tell me about the notification.  
 6 About what time did you get to the Fosters'  
 7 house?  
 8 A I think it was somewhere in the area of like  
 9 10:00 in the evening.  
 10 Q Okay. And Watkins was with you at this point?  
 11 A Right.  
 12 Q Was anybody else with you?  
 13 A Well, Mr. Watkins was with us, and at the time  
 14 that we were walking up to the front steps of Mr. Foster's  
 15 house, a whole entourage, which included Web Hubbell, his  
 16 wife, Sheila--I am drawing a blank on her last name.  
 17 Q Anthony?  
 18 A Yes. Yes.  
 19 There was another female, who I believe she had  
 20 identified herself as one of Mr. Foster's sisters, but I  
 21 don't recall what her name was.  
 22 There was somebody else, too, and I can't



1 remember.

2 White House staff people from the counsel,  
3 general counsel's office got there at about the same time we  
4 did, which we're trying to get in the door to try to make  
5 our notification without all these people.

6 We were not aware that they were coming.

7 Q Are you aware of how they found out that you were  
8 coming to give the death notification?

9 A Well, they all worked in the White House and/or  
10 were associated with people who worked in the White House.

11 And so when the notification was made to the  
12 White House, I guess it all went out from there.

13 Q Okay.

14 A So it wasn't notifications that we had made.

15 The only people that we had spoken to en route to  
16 the hospital and then to do the notification was David  
17 Watkins and Kennedy, I don't know what his first name was.

18 Q William?

19 A Yeah.

20 And he had asked that he and Mr. Livingston be  
21 able to go and look at the body to verify that it was Vince  
22 Foster.

1 Q That was when you went to Fairfax?

2 A That was--they called, I believe, after we had  
3 left Fairfax and we were en route to do the notification was  
4 when they--they--or they asked us to contact them.

5 Q Okay. So they went to the hospital, but you had  
6 already left to go to the--

7 A Right. Right. Right.

8 Q All right.

9 So what happens when you get inside the house?

10 A We got in--well, Laura answered the door,  
11 Mr. Foster's daughter, and we asked her to get her mother.

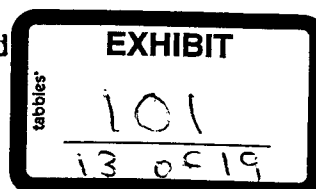
12 Mrs. Foster and Lisa came down the stairs.

13 She was in a bathrobe, and she got like three-  
14 quarters of the way down the stairs, and Investigator Rolla  
15 went up to her and told her that her husband, Vincent  
16 Foster, was dead.

17 And she got hysterical, which is not unusual.  
18 And she at that same time everybody of course was flooding  
19 in the door, as far as Webster Hubbell and Sheila Anthony  
20 and that entourage.

21 I believe she went back up the stairs.

22 And David Watkins' wife, I think I have neglected





1 anything?

2 A I would imagine that that was followed up by  
3 Detective Markland.

4 Q Okay. But you don't know?

5 A No, I don't. I don't have any personal knowledge  
6 of that.

7 Q Who did you say briefed you when you arrived at  
8 Fort Marcy Park?

9 A Well, initially I went and spoke with Officer  
10 Spetz, and then when we got up to where the body was,  
11 Sergeant Edwards had taken a few Polaroids and he gave those  
12 to us and just, you know, basically told us briefly, you  
13 know, what we had. And then we--I mean we were right there,  
14 so we went and looked ourselves.

15 Q When did you first hear the word suicide in Fort  
16 Marcy Park?

17 A When--when I saw, I guess, Sergeant Edwards.

18 Q Did he say he thought that the death was by  
19 suicide?

20 A I don't recall exactly how he did it, and he did  
21 show the pictures to it that he had snapped.

22 Q Was it your understanding that a determination

1 had been made as to the cause of death?

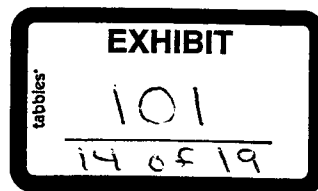
2 A I think we more made that determination. You  
3 know, like I said, when we first got the call, it was for a  
4 dead body. Then I asked if it was natural or of suspicious  
5 nature. And I was told suspicious, so I had them close the  
6 gate.

7 Then once we got there, maybe actually I do  
8 remember speaking to Lieutenant Gavin, so maybe it was  
9 Lieutenant Gavin who might have--it might have been  
10 Lieutenant Gavin then who actually initially explained what  
11 the scene was, because I had some knowledge of it when I  
12 went to speak with the couple and ask them if they had heard  
13 anything or seen anything and ask them about other vehicles  
14 that were in the area.

15 Yeah, I would say it was Lieutenant Gavin,  
16 actually.

17 Q Did Lieutenant Gavin mention anything about  
18 suicide?

19 A I can't recall. I don't--I don't recall if he  
20 did or not or if that was what we--it seems to me that we  
21 had made that determination prior to going up and looking at  
22 the body. But who specifically, I don't remember.



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1 Q Would you have made that determination before you  
2 had seen the body?

3 A Not totally. I mean it was confirmed after I got  
4 up and looked at the body and saw the gun.

5 Q But so you think someone suggested to you that it  
6 was suicide before you saw the body?

7 A Right. Yeah.

8 Q So you talked to this couple that was in the park  
9 before you went over to see the body?

10 A Right.

11 Q About how long were you talking to them?

12 A Probably about maybe five, ten minutes.

13 Q What did they tell you?

14 A That they were there having a picnic and that  
15 they had been off on the far side of the parking lot and  
16 slightly down the hill. And other than asking them  
17 questions about the other vehicles, they hadn't heard  
18 anything. They really weren't able to give a whole lot of  
19 information.

20 They described the van that had come in and then  
21 I believe had emptied trash or something, and another car  
22 that came in and had put the hood up like it was

1 overheating, and they had just, you know, both these  
2 vehicles had subsequently left.

3 Then I think there was one other vehicle with a  
4 male sitting in it who had no shirt on, as I recall. And he  
5 also had left.

6 Q Did they tell you anything that sounded  
7 suspicious?

8 A No, not really. They had indicated that  
9 Mr. Foster's car had been there and that it hadn't--you  
10 know, had not moved. But they really were not aware of  
11 anything going on.

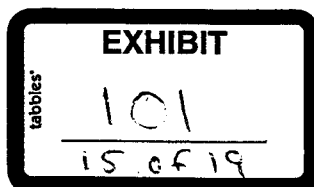
12 Q Do you know if any further conversations were  
13 ever had with those people?

14 A Oh, yeah, I'm sure they were spoken to and  
15 followed up.

16 Q But you didn't--

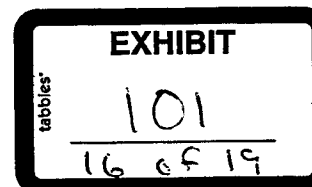
17 A No, I did not. You know, I just tried to  
18 get--basically when I spoke to them, I wanted to identify  
19 who they were and get just some basic information on what  
20 they had seen, knowing that I would follow up later on or  
21 that someone would follow up.

22 Q But you don't know--



- 1 head was in when you saw it?
- 2 A It was kind of straight back with a slight tilt  
3 to the right.
- 4 Q Did you say that while you were in Fort Marcy  
5 there were no fire or EMS personnel on the scene?
- 6 A Not when I got there. They--the only ones that I  
7 saw came to take the body to Fairfax Hospital.
- 8 Q So by the time you saw the body, the EMS or fire  
9 fighters had left the scene?
- 10 A Uh-huh.
- 11 Q Did anyone say anything about or did anyone tell  
12 you or brief you on what they had done?
- 13 A No.
- 14 Q Did anyone tell you if they had determined that  
15 the person was dead?
- 16 A No.
- 17 Q Do you know if anyone ever followed up with the  
18 EMS or fire fighting personnel in terms of taking statements  
19 from them?
- 20 A I am not aware if they did.
- 21 Q Would that surprise you if they hadn't been  
22 followed up with?

- 1 A I don't know, because, like I said, I am not--I  
2 wasn't actually aware until when I spoke to the FBI that  
3 they were there prior.
- 4 Now, Investigator Hodakievik, who had been on her  
5 way home, had gotten to the scene prior to us. I just  
6 remembered that she was there. And I don't know if she was  
7 aware they were there. I don't recall anybody mentioning to  
8 me that they had been there and left.
- 9 Q Is it Park Police procedure that a detective--let  
10 me rephrase that.
- 11 Does a detective often respond directly to a  
12 crime scene or possible crime scene?
- 13 A Yes.
- 14 Q Who were the detectives on this scene?
- 15 A They would be myself, Investigator Roelle,  
16 Investigator Abt.
- 17 Q Okay. Was it unusual to have so many detectives  
18 at an initial scene?
- 19 A It's not unusual for like two detectives to go.  
20 The reason that all three of us went was because  
21 Investigator Abt was also new in the office and I thought it



1 scenes.

2 Q You mentioned that you asked someone to notify  
3 Lieutenant Gavin?

4 A Right.

5 Q Who do you remember you asked?

6 A I believe it was Officer Watson. And he had been  
7 up there, he had stopped by. He had an intern, and asked  
8 permission. I escorted him up to see the scene. And then  
9 they left, came down with me when I went through the car and  
10 left shortly after that.

11 Q You mentioned that you found some pictures in the  
12 car.

13 A Right.

14 Q Were those prints then?

15 A Right.

16 Q Can you describe them, tell me how many, what  
17 they were of?

18 A It was like a, you know, what would come from a  
19 roll of film, probably, you know, like 24 photos. And they  
20 were of some kind of like a party. I don't--you know.

21 Q Did you recognize any of the people in the--

22 A Mr. Foster and then I believe, you know, after

80

1 seeing his daughter, I believe his daughter was in the  
2 photos, and his wife, and I don't recall, you know, who all  
3 else. But they were like--it was like a family party.

4 Q Do you recall were the pictures just in the glove  
5 compartment, or were they like in a little package that  
6 pictures often come in?

7 A I think they were in an envelope, in like a  
8 regular mail envelope. And I am not positive of that, but  
9 they were either in a regular photo envelope or a mail  
10 envelope. And they may have been actually, because Hondas  
11 have those pockets in the doors, it may actually have been  
12 in the pocket of the door rather than in the glovebox.

13 Q Was there any writing on any of the back of the  
14 photographs?

15 A Not that I recall.

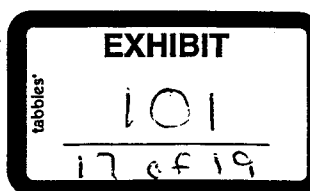
16 Q Do you remember seeing a date? Sometimes  
17 photographs are dated on the back.

18 A No, I don't remember.

19 Q Were the photographs included in the inventory of  
20 the car?

21 A I believe they were.

22 Q And do you know what would happen to those



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1 Q Would you have expected to attend the autopsy?

2 A I was going to attend, yeah.

3 I was going to request to attend.

4 Q Why?

5 A Like I said, I wanted to stay somewhat involved  
6 in the case, since I had done the initial.

7 You know, you have an interest in it.

8 And plus to, because I had been at the scene, the  
9 ME likes to know what the scene looked like, and I would be  
10 able to provide him with that information.

11 Q Is it standard operating procedure for an  
12 investigator or someone who was at the death scene to attend  
13 the autopsy?

14 A Yes.

15 Q Do you know of any cases in which no one from the  
16 death scene attended the autopsy?

17 A There has been some D.C. cases in D.C. where we  
18 don't because in D.C. the metropolitan police department  
19 handles all deaths and homicides.

20 So then there is no need to duplicate the effort.

21 Q So whether you are involved in a case in D.C. or  
22 not, their officers go to the autopsy?

1 A Right.

2 Right.

3 Q But in Virginia--

4 A In Virginia and Maryland we go to the autopsies.

5 Q Do you know who attended the autopsy for the Park  
6 Police in this case?

7 A Yes.

8 Investigator Morrissette went, and I'm not  
9 positive but I think the ID Tech that went and did photos  
10 was Wayne Johnson, but I am not positive on that.

11 Q Were either of those officers at the death scene?

12 A No.

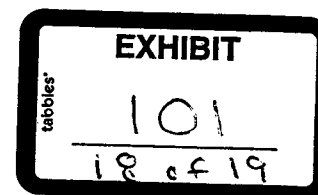
13 Q Were you surprised to learn that those were the  
14 officers who attended?

15 A No, I wasn't.

16 I found out later that they had attempted to  
17 contact Investigator Rolla to have him come back to go to  
18 the autopsy, and he was just too tired to do it.

19 And they had our notes and things to be able to  
20 fill the medical examiner in with.

21 Q Did someone tell you explicitly that the autopsy  
22 was moved up because the White House had requested it?



000395

- 1 A Yeah.
- 2 Q Who told you that?
- 3 A I believe I was speaking to Detective Squires.
- 4 Q Who is that?
- 5 A He is another detective in the office.
- 6 But I am fairly certain that's who I was speaking
- 7 to, but I am not positive on that.
- 8 And, yeah, I had been told that at the request of
- 9 the White House, the autopsy was moved up because they were
- 10 going to be taking the body back to Arkansas for burial.
- 11 Q So were you surprised by the fact that the
- 12 autopsy was moved up?
- 13 A No.
- 14 Q Did you ever speak to Major Holmes, Major Hindes,
- 15 or any other superior officers about--Captain Hume--about
- 16 this matter?
- 17 A No, other than initially briefing Major Holmes
- 18 over the phone that night. I didn't--did not speak to
- 19 anybody other than Captain Hume about it.
- 20 Q Are you aware of any pressure on anyone in the
- 21 department with respect to this investigation?
- 22 A No.

- 1 I was not made aware of it.
- 2 Q Do you think this investigation was handled as a
- 3 usual or ordinary death investigation?
- 4 A As well as could be.
- 5 Q Can you be more specific?
- 6 A Well, other than, you know, the things like, you
- 7 know, having everybody show up for the notification and the
- 8 difficulty in having the White House office not sealed and
- 9 having difficulty even in getting into the White House, I
- 10 think we tried to do as normal an investigation as we could.
- 11 Q Does the Park Police have special operating
- 12 procedures or guidelines for handling an investigation
- 13 involving the White House?
- 14 A No, we don't.
- 15 But maybe we should.
- 16 Q Do you think an investigation involving the White
- 17 House or someone associated with the White House should be
- 18 different than an ordinary investigation?
- 19 A No, I don't.
- 20 But that's not reality.
- 21 Q Why is that?
- 22 A Because you--I mean you can see from this



000396

①

4/28/94

Lieut Patrick Stephen Gavin

H# [REDACTED]

W# 912 267 -2489

AS of 5/1/94 will be living & assigned in Glyco, Geo, Glyco  
Fed LE Training Center

7/20/93 Shift Commander 1400-2200 shift dispatcher reported  
 dead body at FMPK. He saw at FMP at approx 1830  
 with Body possibly Edwards

{  
 Off. Kevin Fornshill <sup>definitely</sup> was at scene ~~with Body~~  
 Sgt. Bob Edwards (curr. ass. Glyco)  
 Investigator <sup>ievic</sup> ~~Christodakis~~ met him in Pk. Lot looking up to  
scene, she'd been there  
 Off. F. <sup>2</sup> ~~Forstl~~

Off. E. Mad Person were in Pking Lot but not at scene  
 they had already been at scene & determined <sup>VF</sup> ~~VF~~ was dead.

was a disabled car at entrance ramp to <sup>leveled</sup> park <sup>lot</sup> & woods

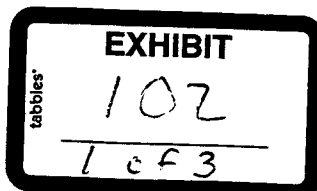
Foster's Honda with Ark tags in front of lot

White Nissan in rear of lot

Believes Fornshill (was on scotter) was first to find it  
(even before fire)

Did a series of 35mm & then polacoids - they could have moved  
body in doing photos = not sure if they did 35s or pols first

129



000397

(2)

Called Swedish <sup>security</sup> at day - they could offer no help

EXHIBIT  
102  
2 of 3

Took a look at body + scene  
body was lying right on path that went down the beam  
~~down~~ in front of the cannon. Head was ~~on~~ on the down side  
of the. Head ~~was~~ was pointing up toward sky  
There clearly was a path (not well worn) going down side of  
beam

Reviewed <sup>13 photos</sup> polaroid death scene photos Only blood he needs

is trickle coming out mouth - don't need blood coming from  
nose - nor does he need blood on shirt. Only made a  
curious look <sup>doesn't mean blood wasn't there. Could have been</sup>  
from the top of beam approx 2 to 3 ft away  
to take close look. Photos were taken later

Pointed out in photo that mark of foot on keger extended indicating

that ERIT

Could there been body/head from rear of cannon. would have to be out in front of  
cannon to see body  
Saw no one move or touch. Probably

Stayed in area approx 40 45 minutes; in several people <sup>was</sup>  
Parkby lot interviewed, car checked.

By time he left, civil. officer had arrived. (P5)  
His WH ID discovered after he left scene. thought he might be a gov

130  
000398



3

→ First medic

Pointed out → Della report where it states FC Emer were on scene & checked carotid artery for pulse  
EMT <sup>Firstly</sup> instinctively open airway by hyper extending neck put hand behind neck and pull jaw up + forward.

~~Photos taken <sup>some time</sup> <sup>NOT sure</sup> after EMT first there.~~

Form still there first he found body = he may have

Looked around checked crime scene for signs of struggle (thought victim could have been mugged)

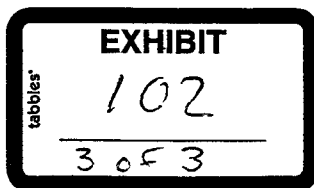
Detect at scene called him <sup>at office</sup> after they found WH ident.

w/i 10 minutes he called USSS returned them. w/i

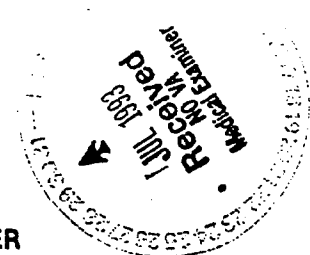
10 minutes Bill Burton Asst WH Capt/Off called him at

his office. asked for call back # then he called

Burton back at WH 202 456 1414  
202 456 6797



COMMONWEALTH OF VIRGINIA  
DEPARTMENT OF HEALTH  
**OFFICE OF THE CHIEF MEDICAL EXAMINER**  
NORTHERN VIRGINIA DISTRICT  
9797 BRADDOCK ROAD  
SUITE 100  
FAIRFAX, VA 22032-1700  
PHONE (703) 764-4640



Resident   
Non-resident  Washington D.C.  
\* Jan 15, 1945

**REPORT OF INVESTIGATION BY MEDICAL EXAMINER**

DECEDENT Vincent Walker FOSTER Jr AGE: 48 RACE: Cauc SEX: male  
ADDRESS: 3027 Cambridge Place N.W. W W S D OCCUPATION: Attorney  
Washington D.C. 20007 SSN: 429-80-1132 EMPLOYER: Law

TYPE OF DEATH: (Check one only)  
Sudden in apparent health  Suspicious  Violent or Unnatural   
Unattended by physician  Unusual  Means/Weapon  x 38 caliber handgun  
In prison, jail, or police custody

|      | Last Seen Alive | Injury or illness | Death      | Medical Examiner Notified | View of Body | Police Notified |
|------|-----------------|-------------------|------------|---------------------------|--------------|-----------------|
| DATE |                 |                   | JULY 20'93 | JULY 20'93                | JULY 20'93   |                 |
| TIME |                 |                   | 6:15pm     | 6:45 pm                   | 7:15 pm      |                 |

If Motor Vehicle Accident  
Check One of the Following:  
 DRIVER  
 PASSENGER  
 PEDESTRIAN

NOTIFICATION BY: United States Park Police OFFICIAL TITLE Case # 30502  
Address 202 619-7105

|                                     | LOCATION                                       | CITY OR COUNTY        | TYPE OF PREMISES (E.G., HIGHWAY, ETC.) |
|-------------------------------------|------------------------------------------------|-----------------------|----------------------------------------|
| INJURY OR ONSET OF ILLNESS          | <u>George Washington Parkway (Marcey Park)</u> | <u>Fairfax Co.</u>    | <u>Park</u>                            |
| DEATH                               | <u>Fairfax Hospital</u>                        | <u>Fairfax County</u> | <u>Morgue</u>                          |
| VIEWING OF BODY BY MEDICAL EXAMINER | <u>Marcey Park (GW Parkway)</u>                | <u>Fairfax County</u> | <u>Park</u>                            |

| DESCRIPTION OF BODY                                                                                                                                                                                                                                | NOSE                                                                | MOUTH | EARS | RIGOR                                                                                                                                                                | LIVOR                                                                                                                                        | NON FATAL WOUNDS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|-------|------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                                                    |                                                                     |       |      |                                                                                                                                                                      |                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Clothed <input type="checkbox"/> Unclotted <input type="checkbox"/> Partly Clotted <input type="checkbox"/><br>Hair Color _____ Beard _____ Mustache _____<br>Pupils R _____ L _____ Eye Color _____<br>Body Heat _____ Scars, Tattoos, etc. _____ | Blood _____<br>Froth _____<br>Other (Sand, dirt, water, etc.) _____ |       |      | <input type="checkbox"/> Jaw<br><input type="checkbox"/> Neck<br><input type="checkbox"/> Arms<br><input type="checkbox"/> Legs<br><input type="checkbox"/> Complete | Color _____<br>Anterior <input type="checkbox"/><br>Posterior <input type="checkbox"/><br>Lateral <input type="checkbox"/><br>Regional _____ | <input type="checkbox"/> Abrasion <input type="checkbox"/> Burn<br><input type="checkbox"/> Contusion <input type="checkbox"/> Stab<br><input type="checkbox"/> Gunshot <input type="checkbox"/> Incised<br><input type="checkbox"/> Laceration <input type="checkbox"/> Fracture<br><b>DISTRIBUTION:</b><br><input type="checkbox"/> Scalp <input type="checkbox"/> Chest <input type="checkbox"/> Face<br><input type="checkbox"/> Neck <input type="checkbox"/> Arms <input type="checkbox"/> Back<br><input type="checkbox"/> Abdomen <input type="checkbox"/> Legs |

| FATAL WOUNDS (GUNSHOT, STAB, ETC.) | SIZE | SHAPE | LOCATION | PLANE, LINE OR DIRECTION |
|------------------------------------|------|-------|----------|--------------------------|
|                                    |      |       |          |                          |

CAUSE OF DEATH: PERFORATING GUNSHOT WOUND MOUTH-HEAD  
MANNER OF DEATH: (check one only)  
 Accident  Suicide  Homicide  
 Natural  Undetermined  Pending  
AUTOPSY:  Yes  No  
AUTHORIZED BY: ME  
Pathologist Dr. Bayer  
Autopsy No. 353-93 7-21-93

I hereby declare that after receiving notice of the death described herein I took charge of the body and made inquiries regarding the cause and manner of death in accordance with the Code of Virginia as amended; and that the information contained herein regarding such death is correct to the best of my knowledge and belief.

July 20, 1993 Fairfax County Signature of Medical Examiner  
Date City or County of Appointment

1 COPY DESTROYED NOV 2 1994

Dr. C. Bayer  
Assistant Chief Medical Examiner

EXHIBIT  
103  
10FZ

0400

MEDICAL ATTENTION AND HOSPITAL OR INSTITUTIONAL CARE:

| NAME OF PHYSICIAN OR INSTITUTION | ADDRESS | DIAGNOSIS | DATE |
|----------------------------------|---------|-----------|------|
|                                  |         |           |      |
|                                  |         |           |      |
|                                  |         |           |      |

CIRCUMSTANCES OF DEATH:

|                                          | NAME | Official Title or Relationship to Decedent | ADDRESS |
|------------------------------------------|------|--------------------------------------------|---------|
| FOUND DEAD BY                            |      |                                            |         |
| LAST SEEN ALIVE BY                       |      |                                            |         |
| WITNESSES TO INJURY OR ILLNESS AND DEATH |      |                                            |         |
|                                          |      |                                            |         |

NARRATIVE SUMMARY OF CIRCUMSTANCES SURROUNDING DEATH:

JULY 20, 1993 After anonymous call was received at 18:04 hours US Park Police officers found 48 yrs Caucasian male with self-inflicted gunshot wound mouth to neck on a foot path in Marcey Park .His car was parked in the parking lot but no note was found.  
 MEDICAL HISTORY Unknown

FOR PROFESSIONAL USE ONLY  
 CONTENTS NOT TO BE DUPLICATED

Toxicology sent: Yes  No   
 Blood  
 Urine  
 Other \_\_\_\_\_

NOV 2 1994  
~~X COBY TESTER~~  
*H. C. Bayler*  
 Assistant Chief Medical Examiner

DECEDENT FOSTER, Vincent Walker, Jr.

EXHIBIT  
 103  
 2 of 2

000401

**DEPOSITION OF PETER J. SIMONELLO  
IN RE: S. RES. 229**

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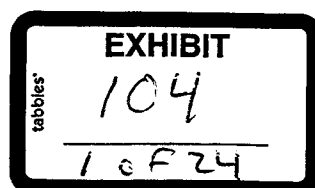
**THURSDAY, JULY 14, 1994**

**U.S. SENATE,  
COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS,  
*Washington, DC.***

Deposition of PETER J. SIMONELLO, called for examination pursuant to notice of deposition, at 9:30 a.m. in Room SC-06 of the Capitol, before JULIE BAKER, a Notary Public within and for the District of Columbia, when were present:

**GLENN F. IVEY, Esq.  
Majority Counsel  
ROMAN E. DARMER, III, Esq.  
JULIE FALLON, Esq.  
Minority Counsel  
Committee on Banking, Housing, and Urban Affairs  
U.S. Senate  
On behalf of the Committee.**

**ALSO PRESENT: PAUL GOLDENBERG**



000402

1 Q I don't think I have a copy of it. I haven't  
2 seen a copy of it yet. Can you tell me what the report  
3 contained?

4 A Basic information as to the time I got there, the  
5 area where it occurred, the positioning of the body,  
6 evidence that I observed on the scene, the measurement --  
7 measurements and what evidence I collected from the scene.  
8 That would have been the basic report.

9 Q About what time did you get to the scene?

10 A I believe it was around 7-ish, 7:00.

11 Q Other officers had been there for a while, I take  
12 it?

13 A I arrived there right after our detectives  
14 arrived on the scene. They pulled up and I pulled up  
15 minutes after they arrived. Investigators were on the  
16 scene prior to me being there and there were several  
17 uniformed officers that I observed in the area.

18 Q Do you remember officers' names?

19 A I believe Officer Fornshil was there, and there  
20 was a sergeant there. I can't remember his name right now.

21 Q Edwards?

22 A Sergeant Edwards, that's correct. I don't

1 remember the other officers. I think there were a couple  
2 more patrol officers and privates, but I don't have any  
3 recollection of who they were. I wasn't paying any  
4 attention to them at the time.

5 Q What about the investigators and detectives?

6 A Yes. There was Investigator Cheryl Braun,  
7 Investigator John Rolla. I believe Rence Apt, Investigator  
8 Apt, A-p-t, and there's one more female investigator named  
9 Chris Hodakievik, and I don't know how to spell it.

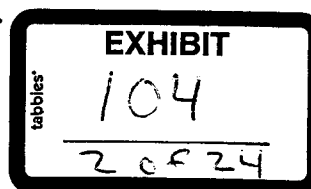
10 Q Were there medical personnel there that you can  
11 recall?

12 A When I arrived, there wasn't. I didn't see any.  
13 Later on, during my time there, then the ambulance unit  
14 came.

15 Q Do you remember talking with the FBI on May 5,  
16 1994 with respect to an investigation done by Special  
17 Prosecutor Fiske?

18 A I don't know the exact date, but I did speak with  
19 the FBI.

20 Q Was that the first time you spoke with them, in  
21 May? Because I see another one that was dated June 3,  
22 1994.



1 A I had several discussions with them, but one  
2 where we actually sat down and I was asked in-depth  
3 questions, that may have been the one in May. I mean, they  
4 had come by our lab once or twice, and we had small  
5 discussions.

6 Q Do you remember what agents were there or who  
7 else was present during that interview?

8 A I believe Bill Columbel was one of the agents and  
9 there was another agent. I don't recall his name.  
10 Dark-haired, short. I don't recall his name.

11 Q Have you had a chance to review the special  
12 prosecutor's report?

13 A I've looked through it, yes.

14 Q Let me hand you a document that's stamped  
15 OIC 000211, 212 and 213, 214 and 215 and ask you to take a  
16 look at it.

17 (Witness reviewed document.)

18 What was the date that you went to Fort Marcy  
19 Park?

20 A I believe it was July 20th, I believe.

21 Q And after you got there, what did you do?

22 A I asked where the scene was first. Initially, I

1 was just in a parking lot down at the bottom, and they  
2 directed me up the incline to where the second cannon was,  
3 and I responded right up to that area.

4 Q What did you see when you got there?

5 A A sergeant was there and one or two uniformed --  
6 I believe Investigator Rolla was up there and he directed  
7 my attention to where the body was.

8 Q Did you take a look at the body?

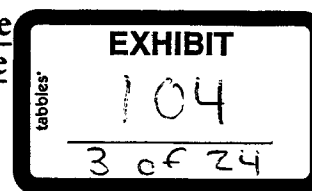
9 A I examined the area around the body and the body  
10 itself.

11 Q What did the area around the body look like?

12 A There was a path that led down from the -- right  
13 directly in front of the cannon and there was dense  
14 vegetation on both sides of the path and leading off into  
15 the path. The slope was approximately -- most of the slope  
16 was approximately 45 degrees of an average, and the body  
17 was lying face up, feet downwards on the slope.

18 Q What did the body look like?

19 A White shirt, well-dressed white male, his eyes  
20 open. There were flies, several flies around the nostril  
21 area. There was some blood running from the nose. There  
22 was some blood on the lower part of the cheek towards the



1 chin, the jawline. There was some blood on the right  
 2 shoulder, and there was some blood, I believe, near the  
 3 right rib cage, and there was a revolver in the right hand.

4 Q Did you see the revolver when you first came up?

5 A No.

6 Q How did you come to find out there was a revolver  
 7 there?

8 A I believe it was Investigator Rolla who told me  
 9 there was a gun in his hand, and I approached the body and  
 10 observed that there, in fact, was.

11 Q What did you do with the -- what happened with  
 12 the gun?

13 A Well, I photographed the area and the body and  
 14 the hand with the gun. I then looked around the area to  
 15 see if there was any other type of evidence that would be  
 16 disturbed or that we could collect.

17 Q What type of evidence were you looking for?

18 A Anything that didn't belong or anything that  
 19 could have been connected with this death scene. The only  
 20 other thing that could have been connected was a pair of  
 21 eyeglasses which were down the slope approximately 13 feet  
 22 from the subject's feet and the revolver which was in his

1 right hand.

2 Q Let me go back to the revolver then. What did  
 3 you do with the revolver?

4 A I removed it from his right hand and placed it in  
 5 an evidence bag.

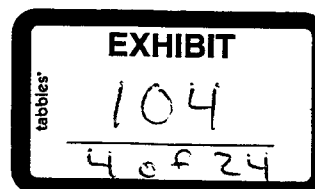
6 Q Was it laying on top of his hand or in what way  
 7 was it on his hand?

8 A His hand was covering the weapon so as to  
 9 indicate -- it was underneath his hand. His hand was on  
 10 top of the weapon and his thumb was inserted into the area  
 11 where the trigger is, so the gun was partially -- or mostly  
 12 hidden by the hand. To remove it, his thumb was trapped  
 13 inside of the revolver between the front of the trigger and  
 14 the rear of the trigger guard. It was trapped and couldn't  
 15 be removed like that. I had to ease the hammer of the  
 16 weapon back slightly to take some of the tension off of the  
 17 trigger in order that I may pass the knuckle through, which  
 18 I did.

19 Q Was his hand still loose or --

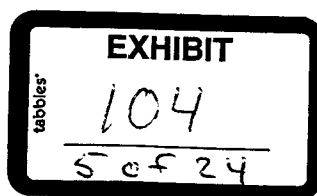
20 A His hand was flexible to me. There was no  
 21 stiffness in it at the time that I could determine.

22 Q Did you see any wounds on the body?



- 1 A At first observation I did not. I just saw the  
 2 blood.  
 3 Q Did you ever see any wounds on the body?  
 4 A When the body was turned over, there was a wound  
 5 to the back portion of his skull.  
 6 Q Who turned the body over?  
 7 A I believe it was the medical examiner who  
 8 responded to the scene, in the Corps. I don't know what  
 9 they call him in Virginia.  
 10 Q And was that after you had taken photographs?  
 11 A Yes.  
 12 Q Do you know if the body had been moved before you  
 13 took photographs?  
 14 A I don't. I don't know if it was moved or not.  
 15 Q Did you ask anybody?  
 16 A I did. I inquired as to whether or not the  
 17 emergency medical people who came to the scene or anybody  
 18 who responded first had moved the head.  
 19 Q And what were you told?  
 20 A No.  
 21 Q No --  
 22 A No, they didn't. As far as they knew, they

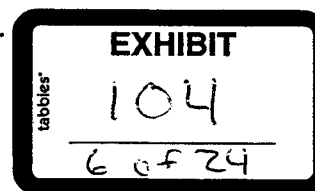
- 1 talked to the medical people and they hadn't touched the  
 2 body. That's what I was told.  
 3 Q You said you saw the wound after the body was  
 4 moved. Where did you see these wounds or wound?  
 5 A What I saw was the wound to the back of the head.  
 6 Q How close were you to the body when it was moved?  
 7 A I was right up on it, within a foot or two.  
 8 Q Was there blood in the area?  
 9 A Yes.  
 10 Q Where was the blood?  
 11 A Pooling of blood directly underneath where his  
 12 head had been, and then there was some blood along the back  
 13 of his shirt, top portion of his shoulders, upper half of  
 14 his back there was blood.  
 15 Q Did you see any powder residue?  
 16 A Yes.  
 17 Q Where?  
 18 A I observed what I believed to be powder residue  
 19 along the edge of his index finger and edge of his right  
 20 thumb.  
 21 Q On which hand?  
 22 A His right hand.





- 1 Q Did you find any cartridges or casings?  
 2 A No, except the ones that were inside the revolver  
 3 itself.  
 4 Q What was inside the revolver?  
 5 A There was two .38 caliber -- one was a used,  
 6 spent shell and one was a live round.  
 7 Q What kind of gun was it?  
 8 A It was a .38 caliber revolver.  
 9 Q Some of these photographs, I understand, are a  
 10 little difficult to make out.  
 11 A Yes.  
 12 Q Why is that?  
 13 A We're not quite sure why it occurred. I believe  
 14 they were underexposed, which means not enough light came  
 15 into the camera, and we can't determine whether it was a  
 16 malfunction in the camera or not.  
 17 Q Do you remember about how many photos you took?  
 18 A I believe I took the whole roll, which would be  
 19 24 photographs.  
 20 Q Do you know if anyone else was taking photographs  
 21 out there?  
 22 A John Rolla was taking Polaroids.

- 1 Q Did he take any photographs of the body?  
 2 A He took Polaroid photographs of the body, yes. I  
 3 would take a photograph with the 35 and he would take what  
 4 we call a backup photograph with a Polaroid in case  
 5 something like this does occur where the film comes out, we  
 6 have a duplication.  
 7 Q Do you know if any fingerprints were recovered  
 8 from the gun?  
 9 A My office didn't recover any, but I've been told  
 10 that the FBI or the FBI report I've read, they've uncovered  
 11 a fingerprint from underneath the grips.  
 12 Q The grips are underneath the handle of the gun?  
 13 A That's correct.  
 14 Q How would a print be recovered?  
 15 A Someone would have to remove the grips and handle  
 16 it and replace the grips.  
 17 Q Does your office mark guns with initials?  
 18 A That gun, I believe I put my initials on it,  
 19 underneath the grip, so it may very be well that it's my  
 20 fingerprint underneath the grip.  
 21 Q How did you mark the gun?  
 22 A It was engraved where I put my initials, PJS.



1 A To get into our office, usually one has to be  
2 buzzed. That's to get into the office area, where we do  
3 our typing and whatnot. From there, to get into the  
4 processing lab, you have to go through a locked door. And  
5 in the back of the processing lab, there's another door  
6 with a punch combination on it, and that's where the gun  
7 was stored.

8 Q So there are three locked doors?

9 A One door to the office can be locked or not  
10 locked. That's usual traffic where we do our typing. The  
11 second door is supposed to be kept locked. That's the door  
12 to the evidence processing room, and the back door is  
13 always locked, and the only people that should have the  
14 combination to that are the technicians and the sergeant of  
15 the ID unit.

16 Q And this gun -- you sent this gun to the FBI at  
17 some point?

18 A I sent the gun to ATF.

19 Q And the gun was sent to ATF for what purpose?

20 A To do ballistic tests on it, gunpowder, residue  
21 patterning and whatever types of testing they thought would  
22 be appropriate in this type of a case.

1 Q This was before or after there was an attempt to  
2 lift fingerprints?

3 A That was sent afterwards, after one of the other  
4 technicians attempted to lift fingerprints from it.

5 Q At the Park Police office?

6 A That's right.

7 Q And who was that?

8 A That was a technician, E.J. Smith.

9 Q And what results did Officer Smith have other  
10 than the print that was found under the grips?

11 A I believe his lifts were of no value. There were  
12 no latents lifted. That is to say, there was a latent lift  
13 made, but there was no latents on those lifts. There was  
14 no impressions on the lifts.

15 Q So you didn't get any prints of value?

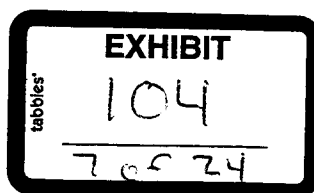
16 A Not off the weapon.

17 Q Did anyone other than you and Officer Smith  
18 handle the gun from the time it was taken from Mr. Foster's  
19 hand to the time that it was sent to ATF?

20 A Anyone besides myself and Technician Smith?

21 Q Right.

22 A Not to my knowledge.



1 Q How long was it after you recovered the gun that  
2 Officer Smith tried to recover prints from the gun?

3 A I don't know -- I went on -- I was on my days  
4 off -- when it occurred the next day, I had leave and the  
5 next three days after that, I was on my days off. So I  
6 didn't return back to the office for four days. I came  
7 back on a Sunday and at that time I was told that the gun  
8 had been processed, so I don't know what day he processed  
9 it.

10 Q It was within four days of the recovery?

11 A Yes.

12 Q I'm sorry. I didn't hear your answer.

13 A Yes, within four days.

14 Q Now, at what point did you write your evidence  
15 report?

16 A I probably wrote on that Sunday when it came  
17 back.

18 Q That would be how many days after the  
19 investigation of the death scene?

20 A Four days.

21 Q Are you aware of the results of the ATF tests?

22 A I read the report, yes.

1 Q Was the gun operable?

2 A Yes, it was.

3 Q What type of ballistics tests did they perform on  
4 the gun?

5 A Technically, I couldn't tell you the types -- I  
6 could tell you the general types of tests they performed,  
7 but as far as the specific types, I'm not acquainted with  
8 that.

9 Q Within your knowledge, tell us what they do.

10 A They also receive the clothing. I sent them a  
11 package of clothing and the gun and I'll try to recall all  
12 the tests they did because we requested numerous tests.

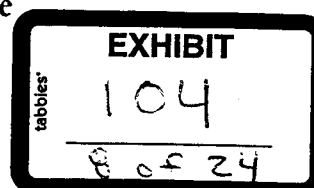
13 First of all, to identify the rounds in the gun,  
14 if the round that was fired was, in fact, fired from that  
15 gun, if the two rounds in the gun were of similar  
16 manufacture --

17 Q Are you aware of the results of that?

18 A Yes.

19 Q What were the results?

20 A The spent cartridge was fired from that gun and  
21 the two rounds were of the same manufacture. I believe  
22 they did a test where they fired the weapon to see what



1 kind of gunpowder patterning would occur on the hand if it  
2 was fired in the way we believed it to have been fired and  
3 if that was consistent with the powder we observed on the  
4 body.

5 Q Are you aware of the results of that test?

6 A Yes.

7 Q What were the results there?

8 A They were positive that they were similar to the  
9 patterning that we found.

10 Q On Mr. Foster's hand?

11 A On Mr. Foster's hand, that's correct. They also  
12 checked the clothing for gunpowder patterning, and they  
13 were asked to see if that would be consistent with somebody  
14 firing a weapon in the proximity of the male.

15 Q Do you know the results of that analysis?

16 A Yes. They said that was consistent with that.

17 Q Let me ask you about the clothes. The clothes  
18 that you sent were the shirt and the pants?

19 A I believe I only sent them the shirt and the  
20 pants, right.

21 Q Now, there was an issue raised by the special  
22 counsel as to contamination of some of the evidence during

1 the storage process.

2 A Yes.

3 Q Did that involve the clothing that was sent to  
4 ATF?

5 A Yes, it would have -- wait. Excuse me. They  
6 found possible contamination, I believe, on the socks or  
7 the paper. I don't know if they found anything in  
8 connection with the shirt or the pants, but they -- at one  
9 point, all those clothings were laid out in the same place.

10 Q Tell us how the clothing was stored by the Park  
11 Police.

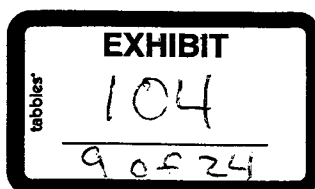
12 A All right. Again, I was off for four days  
13 immediately following.

14 Q What did you do with the clothing?

15 A I did not collect the clothing -- I did not  
16 recover the clothing. I believe Technician Wayne Johnson  
17 went to the autopsy the next day, and I believe it was he  
18 who collected the clothing, at least what I've been told.

19 Q What would the normal procedure be after you  
20 recover the clothing from an autopsy?

21 A If the clothing contained blood, we would lay the  
22 clothing out and allow them to dry, air-dry.



1 Q Where would you lay the clothes out?

2 A These clothing were laid out in the floor of the  
3 photo darkroom in the rear of the processing lab.

4 Q So the photo darkroom, is that typically where  
5 the clothing would be put to dry?

6 A That's where we typically put it.

7 Q So this issue of contamination, how did that come  
8 up?

9 A That part of the darkroom is used, of course, to  
10 take photographs and do some lab work. And people could  
11 have walked in there while the clothing were laid out  
12 during those four days. Also, there are other items of  
13 evidence being processed in the adjacent room, which is the  
14 processing facility. Microscopic trace evidence could be  
15 blown through the air. There's an exhaust fan in the photo  
16 room which draws air. It's conceivable, and obviously it  
17 happened, that particles or trace evidence can be drawn  
18 into that room and fall upon these articles of clothing.  
19 Just walking around them could stir up -- off the floor  
20 could stir up particles.

21 Q Why are the clothes stored in the area where  
22 photographs are taken and this exhaust fan is --

1 A We don't have a specific facility at this time to  
2 dry bloody clothing so we make do with that.

3 Q And your knowledge as an ID technician, would a  
4 place like the FBI, for example, have the money to afford a  
5 separate room for that type of clothing?

6 A Yes.

7 Q Do you know why the Park Police doesn't have that  
8 type of room?

9 A Usually the FBI requests that we air-dry any  
10 bloody clothing -- they request agencies to air-dry bloody  
11 clothing if possible before they're sent anywhere or sent  
12 to their labs.

13 Q I'm trying to get at the separate room issue.

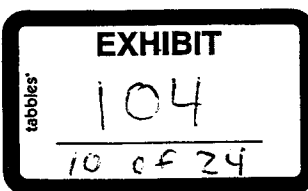
14 A Why don't we have one?

15 Q Yes.

16 A I have no idea. I don't know. We've requested  
17 it, and we just haven't received a facility.

18 Q In any event, is there another way that you or  
19 any of the ID technicians could have laid the clothes out  
20 to dry and avoided that problem, given the facilities you  
21 have?

22 A No, not that would be any less likely to be



1 contaminated.

2 Q Did you come to realize at some point that there  
3 was a wound in the mouth of Mr. Foster?

4 A I never observed that personally, but from the  
5 reports I've read, they indicate, in fact, there was a  
6 wound in the upper pallet, soft pallet.

7 Q Did you see any photographs? Do you know if  
8 anybody from the Park Police took photographs inside the  
9 mouth?

10 A I saw the autopsy photographs, and I do not  
11 believe there's any that actually show the interior of the  
12 mouth. There are several photographs that showed a probe  
13 inserted through the mouth which comes out of the back of  
14 the head indicating the path of travel the bullet would  
15 have taken.

16 Q Do you know if any gunpowder was recovered from  
17 any place other than on his hand and I guess the shirt,  
18 too?

19 A Only from the reports I've read, not from  
20 personal observation, but I believe I read reports there  
21 were some residue found on his left hand and that there was  
22 gunpowder found in the tissue of his soft pallet, which

1 happens to be in the autopsy report.

2 Q Now, I asked you earlier about Mr. Fiske's  
3 report. Did you have a chance to look at any of the FBI's  
4 analysis of firearms or chemical blood analysis?

5 A I didn't study it, but I've glanced through it.

6 Q Now, did any of those technicians for the FBI  
7 contact you?

8 A No.

9 Q Do you know if they contacted anybody in your ID  
10 unit about something relevant to this case?

11 A You're referring to the technicians working for  
12 the Fiske --

13 Q Well, I guess it would be the FBI technicians.

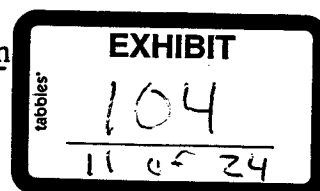
14 A No, not that I remember.

15 Q Did you see anything in their findings that  
16 contradicted anything in your report?

17 A I don't believe so.

18 Q Have you subsequently become aware of any  
19 information that would contradict anything in your report?

20 A The only thing I read in there that I was  
21 wondering about is they said my 35 millimeter roll of film  
22 was overexposed and they weren't able to get any prints



1 from it. But I recall that I was in the office there when  
 2 they took a statement from me that day. I guess that was  
 3 that date in May, and they showed me some 8-by-10 color  
 4 photographs, and they indicated they were able to, in fact,  
 5 enhance the photographs which I took, and I saw several of  
 6 those 8-by-10s and I commented on what a good job they did  
 7 because they looked good to me. They didn't look  
 8 underexposed. They were able to enhance them and in the  
 9 report they indicate they were not able to get anything  
 10 from them.

11 Q Let me go back to the death scene. Did you see  
 12 any type of footprints or tracks or anything that looked  
 13 like someone had been walking through the brush around the  
 14 body?

15 A There was some disturbance of the brush, but I  
 16 attribute that to the fact that there was numerous police  
 17 officers and EMTs and supervisors and investigators were  
 18 standing, walking around and would be in that area.  
 19 Obviously the EMTs had to go down to the body and look at  
 20 him but there was nothing that really jumped out: trampling  
 21 and stuff, there wasn't that. There was some disturbance  
 22 of the vegetation.

1 Q Did you see anything that indicated there may  
 2 have been a struggle before the shooting occurred?

3 A I didn't see anything that could indicate that,  
 4 no.

5 Q With respect to Mr. Foster's body, did you see  
 6 any type of defensive wounds or any type of wounds or  
 7 injuries or damage to his clothing that might indicate he  
 8 was engaged in some sort of a struggle before he was shot?

9 A No. Again, it was an extremely neat appearance,  
 10 his clothing, positioning of his body. I saw no other  
 11 wounds.

12 Q Did there come a point when you went to a 1989  
 13 Honda that was parked in Fort Marcy Park?

14 A I believe it was an '89 Honda. Yes, I did.

15 Q Why did you go to that car?

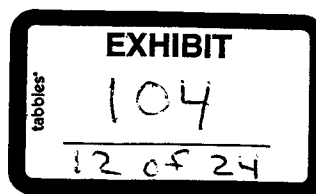
16 A We believed it was the car that belonged to the  
 17 victim.

18 Q And what did you do when you got to the car?

19 A Noted the license tag number.

20 Q Is there anything specific about the tag that you  
 21 recall?

22 A Just that it was an Arkansas tag. I didn't -- I



1 Q You said "guns." Do you mean "gun"?

2 A Revolver. I'm trying to get it straight in my  
3 mind. We were going to use the FBI lab but after reading  
4 that note and the portion of the note that said the FBI  
5 lied to the attorney or Attorney General or something, we  
6 thought it best not to -- I thought it best not to use the  
7 FBI labs because it -- there might be some kind of conflict  
8 or questions might have been raised later on as to -- if  
9 the FBI might have been involved in something, it would not  
10 be the best place to have the evidence processed.

11 Q So normally -- well, let me ask this. Would your  
12 procedures for Park Police after recovering a gun at a  
13 death scene be to send the gun to the FBI?

14 A We could either use the FBI or the ATF. We used  
15 both. It was my thoughts at first to send the gun to the  
16 FBI because they have more expanded facilities as far as  
17 blood workups, I think, than the ATF.

18 Q About what percentage of guns you recover would  
19 you say go to the FBI for printing and what percent would  
20 go to the ATF?

21 A For printing?

22 Q Fingerprints.

1 A No. The prints, we do our own.

2 Q What about processing for ballistics, powder  
3 patterns?

4 A I don't recall seeing a lot of guns out for that  
5 type of workup but the majority of the time it would go to  
6 ATF. Maybe 10 percent of the time go to the FBI for those  
7 type of testings.

8 Q What about for blood?

9 A My opinion is I would send it to the FBI because  
10 I think they have the better facilities for blood workups  
11 and DNA and that type of thing.

12 Q Did you see any blood on the gun when you  
13 recovered it?

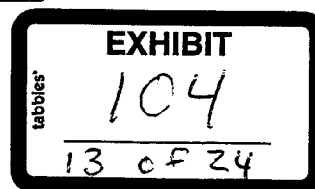
14 A I recall seeing one small speck or droplet of  
15 blood on the barrel.

16 Q Is there any type of chemical analysis that would  
17 be typically done on a gun?

18 A Analysis for what?

19 Q Other than blood, I guess. Maybe DNA or  
20 something like that.

21 A You can do DNA. In a contact wound type of  
22 situation with a gun, from my readings, there can be a



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1 drawback into the barrel of tissue or blood. When the gas  
 2 expands and withdraws, it sometimes pulls material into the  
 3 barrel in a contact wound or suicide type.

4 Q For that type of situation, like we have in this  
 5 case, would you typically send the gun to the FBI or the  
 6 ATF?

7 A That would probably typically be sent to the FBI  
 8 or at least I would. Each one of us have our own judgment  
 9 calls, each of the technicians. It's not a standard.

10 Q Let me actually back up and ask you about the  
 11 procedures for handling evidence. What would be the  
 12 procedures for handling evidence in a death scene where you  
 13 had a gun involved?

14 A Can you be more specific?

15 Q Well, for handling, recovering evidence, handling  
 16 the evidence, preserving any type of integrity of evidence  
 17 that may have been recovered.

18 A Every type of evidence is handled differently,  
 19 but in general, after photographing and making measurements  
 20 as to location of the evidence, it would be placed into an  
 21 evidence bag and then transported to our laboratories. We  
 22 would determine, then, what types of processing we were

1 capable of doing and carry out that type of processing. If  
 2 we felt that it needed processing beyond our abilities, we  
 3 would then determine which agency could help us out and  
 4 then transport to those agencies. In the interim, the  
 5 evidence would be placed in a sealed bag and placed in the  
 6 evidence locker after processing or if we weren't going to  
 7 do the processing, it would be stored there until it was  
 8 transported to such a facility that would do the  
 9 processing.

10 Q What happened to it after these other facilities  
 11 would, say, have done an analysis for blood or something?

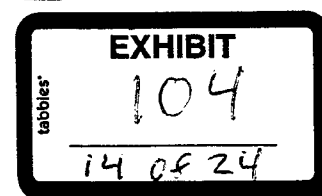
12 A Then the evidence is transported back to our  
 13 facility and depending on what the technician is going to  
 14 do, either he'll save it in our facility, in our evidence  
 15 locker or it would be sent to Brentwood where we have  
 16 another facility there for storage.

17 Q How would a choice be made between your evidence  
 18 locker -- this is at Anacostia --

19 A Yes.

20 Q -- and Brentwood?

21 A Again, that's up to the individual. In this  
 22 case, I knew of the importance of the case, and I wanted to



1 keep it where I knew exactly what would be going on with  
2 it, so I kept it in our facility in our evidence locker.

3 mainly because of the notoriety of the case. I didn't want  
4 anybody getting curious.

5 Q Did you store the evidence in paper bags, or were  
6 they like heat-sealed plastic bags?

7 A All of the evidence I have, I believe, I stored  
8 in paper bags, not heat-sealed but paper bags.

9 Q Is there anything that's put on the bags to show  
10 that if someone had gone in, like a seal or  
11 tamper-resistant closing?

12 A Prior to processing, I seal everything with an  
13 evidence seal. After all the processing has been done on  
14 it, I may or may not seal the bag, but I will have it in  
15 the evidence locker, the secured area.

16 Q And this evidence seal that you used, would you  
17 describe it.

18 A It looks like red cellophane tape and has  
19 "evidence" on it and it's a very fragile type of tape. If  
20 anybody tried to lift it off, it would come apart. The  
21 tape falls apart, breaks apart.

22 Q Did any of the -- if someone goes into one of

1 those bags, you'd be able to tell by the effect on the  
2 seal?

3 A Yes.

4 Q You were gone for three or four days after you  
5 recovered the evidence?

6 A Uh-huh.

7 Q Do you know if any of those seals had been broken  
8 or altered?

9 A The evidence I left on the counter to be  
10 processed in the processing area -- I don't believe they  
11 were in a sealed -- no, it was sealed. I sealed the bag.  
12 The revolver, of course, had been taken out because it was  
13 processed.

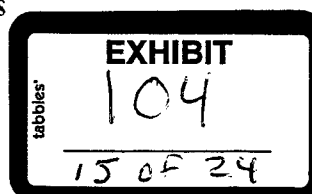
14 Q When you next saw the gun, was it back in an  
15 evidence bag?

16 A Yes. It was placed back in the bag and back in  
17 the evidence locker.

18 Q Was there another evidence seal that had been put  
19 on it?

20 A I don't recall.

21 Q Do you typically sign the evidence seal, or is  
22 there some sort of signout sheet for evidence?



1 same time or were you circling the body? Can you describe  
2 how you two were taking the photographs, how you were  
3 working with each other?

4 A I took a -- I take a shot and say Joe, let's get  
5 an overall -- all right, John, let's get a little bit  
6 closer up, make sure we get a picture of this, the gun and  
7 the hand, informal direction, I guess you'd call it.

8 Q Did he take a picture of -- did he attempt to  
9 take a picture of everything you were taking a picture of  
10 with the 35 millimeter?

11 A You mean the same direction and angle and all  
12 that?

13 Q Exactly.

14 A No.

15 Q If you were going to take a picture, did he step  
16 away --

17 A No. I would say John, I want to get an overall  
18 picture of this and he would be positioned where I was  
19 but --

20 Q Do you know about how many pictures you took?

21 A I believe I took the roll, which was 24.

22 Q And is that -- how many pictures would you

1 normally take at a scene?

2 A As many as needed and that varies according to  
3 the scene.

4 Q How many rolls of film do you bring with you?

5 A I have a camera kit and I guess I usually carry  
6 around three or four rolls of various types of film,  
7 different ASAs, different speed films for different  
8 reasons, so we'd probably -- I probably had around six to  
9 nine rolls on me.

10 Q But you took a roll of film and you felt that was  
11 sufficient?

12 A Even if I took the full roll, I may have taken  
13 some less than that, but I figured that was sufficient to  
14 record what we have there.

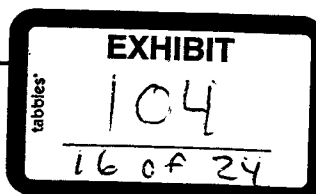
15 Q Do you know how many Polaroid shots Investigator  
16 Rolla took?

17 A I don't know the number, the exact number.

18 Q You said earlier you thought the camera might  
19 have been malfunctioning.

20 A After I got the results back, I figured the  
21 camera was malfunctioning.

22 Q Was the camera ever sent off site to be looked at



1 or to see if there was anything wrong with it?

2 A I don't believe it was, no. I don't know how  
3 long it was after I took the shots that they were  
4 developed. And of course, I didn't realize until they were  
5 developed that the camera might have malfunctioned that  
6 day. I may have malfunctioned. I don't know.

7 Q Ordinarily, what happens? You leave a scene.  
8 You've got film with you. What's the sequence of events to  
9 get it developed?

10 A We have a film envelope that we use and I place  
11 it in there, fill out the envelope and give it to  
12 Technician Romans, Larry Romans, and I believe he has a --  
13 we have a darkroom at the Brentwood facility that he uses  
14 and he develops film there, and I believe he's the one that  
15 developed this roll.

16 Q And generally, how soon after you provide the  
17 film are the prints developed?

18 A If it's a rough job, he can do it almost  
19 immediately, the next day when he comes in, the next shift  
20 that he's working. On the average, if it's not a rush job,  
21 it could be a week, maybe more, depending on how backed up  
22 he is.

1 Q How long does it usually take in murder or  
2 homicide cases?

3 A We usually have film almost immediately in those  
4 types of cases, so I would say within 24 hours we would  
5 have some prints.

6 Q And how long did it take in this case?

7 A I believe they were probably done by the time I  
8 got back on Sunday. I had a note that they were  
9 underdeveloped so I didn't even actually see any prints or  
10 I didn't even see the -- I can't remember if he left the  
11 negatives on my desk or not, but he had left a note that  
12 said these were underdeveloped and there were no prints  
13 made.

14 Q Where would the negatives be left?

15 A They would be put in our report jacket, we call  
16 our mobile crime jacket.

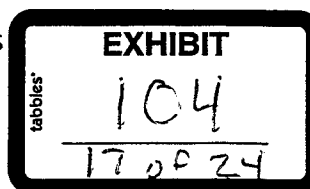
17 Q Is that in a secured area?

18 A Yes, that's kept back in the locked area.

19 Q Would someone have to sign in or out to have  
20 access to those negatives?

21 A As a procedure, they have to sign out the jacket.

22 Q And is it your understanding that those negatives



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1 the hand over the gun.

2 Q Did the scenes look familiar? Were they the  
3 shots you had taken?

4 A They appeared to be.

5 Q And how big -- did you say they were 8-by-10?

6 A I think they were about 8-by-10.

7 Q And fairly good quality?

8 A I was amazed. They weren't perfect but I was  
9 amazed they were the quality they were of. They weren't  
10 crystal clear, but it was a lot more detail than Larry said  
11 we could get out of it.

12 Q Had you ever seen the photographs as they were  
13 originally developed, the photographs that were  
14 underexposed?

15 A I don't know if he even attempted to make prints  
16 out of it. And I'm trying to remember -- I recall I may  
17 have looked at the negatives and they appeared fairly  
18 clear. You could see something on them, but basically they  
19 looked almost clear which, when printed up, would be very  
20 dark. When you actually make a positive print, the clear  
21 negative becomes a dark print.

22 Q When you were putting together the package to go

1 to the FBI. do you recall putting in a package of the  
2 prints?

3 A We didn't make any -- you mean the negatives?

4 Q No. Do you remember putting the -- sending the  
5 negatives to the FBI?

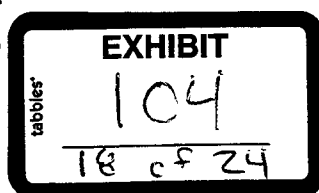
6 A I know they requested them. Again, there's so  
7 much material I handed over, I can't specifically remember  
8 handing over the negatives.

9 Q But you think prints were never made from the  
10 negatives originally?

11 A From our department. I don't think they were. I  
12 never saw them. It's usual that I, as the technician in  
13 the case, would receive copies of whatever prints were made  
14 and I didn't receive any.

15 Q Have you ever been involved in a case where you  
16 just never received prints from shots you took?

17 A I think there's been a few other cases over the  
18 years that something went wrong with the camera or maybe I  
19 didn't set the camera correctly and there were no prints  
20 made, because usually the guys processing can tell by  
21 looking at the negative if it's a lost cause, in other  
22 words. If he prints this up, he's not going to have



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1 was an apparent suicide before you got to the body?

2 A Did anyone suggest to me?

3 Q Did you hear it?

4 A I don't recall if anybody said that to me. It's  
5 just my first general impression. Then, upon closer  
6 observation of everything that we had there, I started  
7 filing away certain questions I wanted to have answered,  
8 things that didn't -- I didn't have immediate answers to  
9 before I came to a conclusive -- an opinion that was  
10 conclusive. And those things were transfer blood stain,  
11 how did that happen? Is this gunpowder on his hand, went  
12 through my head and that cylinder blast I'm talking about,  
13 to have that checked out. Why was there a spot of blood  
14 down here?

15 Q Where are you gesturing?

16 A On the right rib cage area there was a blood  
17 stain on his shirt.

18 Q Could you tell whether it was closer to the top  
19 or the bottom?

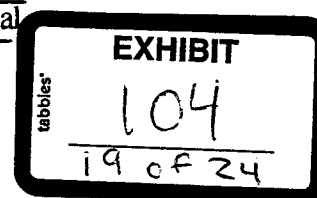
20 A It shows in the photographs, and I think it's  
21 just right to the side there.

22 Q About how many inches below the arm?

1 A About near the lowest rib, in that area of the  
2 rib cage on the right side. These are things that I  
3 couldn't answer immediately and so we wouldn't come to a  
4 conclusion until we had all these questions as far as we  
5 could to get them answered. I wondered about the fact that  
6 I didn't see a lot of blood spattered on his white shirt --  
7 his arms of his white shirt. Spatters -- when a  
8 high-velocity bullet hits, blood is turned in teeny, tiny  
9 droplets. I saw one or two drops, but not indicative of a  
10 pattern.

11 Q Where did you see those drops?

12 A I think one drop was on his finger, his right  
13 hand. I think there was a very small drop. And there may  
14 have been one on his shirt, but not -- I thought why isn't  
15 there more? That was my thinking there. The other thing  
16 is how did he shoot the gun. I saw his thumb trapped in  
17 there, but I wonder how you -- why would you want to shoot  
18 a gun that way? I wondered about the glasses. Are those  
19 his glasses? If they're not his glasses, whose glasses are  
20 they? And I also played the guessing in my head, how could  
21 this have been done? If he didn't do it, could it be done  
22 by somebody else and if so, how? Those are my general



1 impressions of the scene.

2 Q And when did you write up your impressions or  
3 your report?

4 A I think I wrote that up on the Sunday I came  
5 back. I didn't write it up that evening.

6 Q Why was that?

7 A By the time we got back and we had everything  
8 taken care of, I was pretty well beat. It was hot that day  
9 and we had been walking up and down that hill. We don't  
10 usually have to have a report in immediately. I also took  
11 some photographs of the revolver in the processing room at  
12 that time, noting that there is double serial numbers on  
13 the revolver. We noted that and took pictures of that.

14 Q Did those pictures turn out, by the way?

15 A I think we have black and white Polaroids. There  
16 should be a copy. You should be able to get them. And I  
17 just decided that when I come back fresh on Sunday, I'll  
18 get everything straightened out and be able to organize  
19 everything and write it down.

20 Q Officer, was it on the scene when you did  
21 measurements, you attempted to measure the distance between  
22 the cannon and the body?

88

1 A Yes. It was on the scene when I did that.

2 Q You said you did a toe to heel measure?

3 A Toe to heel.

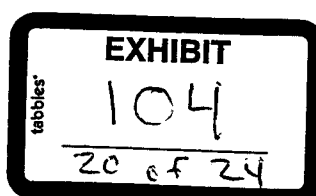
4 Q Did you have any kind of measuring device with  
5 you at the time?

6 A We had a tape, steel tape measure back at the  
7 cruiser, but I felt it was easier and probably just as  
8 efficient to do it the way I did it because we had this  
9 brush and trees and vegetation and you couldn't do a  
10 straight line measurement with the tape measure. You'd get  
11 tangled and have to go around the objects and I felt this  
12 was a good way of doing it because to me, it was a  
13 straightforward scene. We had a path. We had a fixed  
14 object and it was straight down the path, so there was  
15 actually only one measurement I felt that was needed to  
16 reposition the body to where it was, and that's the idea,  
17 to be able to put the evidence back in the positions they  
18 were.

19 Q Did you see any movement on the ground above the  
20 body or did the ground appear to be disturbed?

21 A Above the body? No.

22 Q Around the head or up the path that you've



000421

1 Q When you saw the clothes, they were laid out on  
2 brown paper in the drying area?

3 A Yes.

4 Q And were there any indication -- were there  
5 evidence numbers or evidence bags under the clothes?

6 A As far as I recall, there was just an evidence  
7 custody sheet listing the items near the items. Each one  
8 doesn't get a separate sheet. It's all one sheet and  
9 they're all listed on to it.

10 Q Do you recall if there were clothing from any  
11 other cases in there?

12 A Not in that room.

13 Q How many days were they in the room?

14 A I believe they were in there for four days.

15 Q And do you know if there was any other clothing  
16 from any case during that time?

17 A In that room itself?

18 Q In that room while Foster's clothes were drying.

19 A I don't have any knowledge of that. I wasn't  
20 there. It's possible that something was, but I don't know.

21 Q Is that the usual time to leave clothes to dry?

22 A It varies with the humidity and the amount of

1 blood. An extreme amount of blood will take a long time to  
2 dry. A little bit would take a short time. However, they  
3 probably left them there, awaiting my return, because I was  
4 the technician handling the original.

5 Q It didn't strike you as an unusual amount of  
6 time?

7 A No, because they were dry when I got there, but I  
8 have no way of knowing if the day before they were actually  
9 dry or two days before they were dry. If they hadn't dried  
10 until the day I got there, they wouldn't have been packaged  
11 anyway.

12 Q What did you do when you returned with the  
13 clothes?

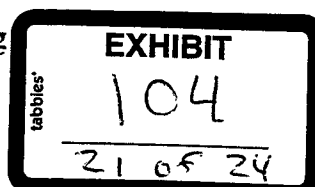
14 A Brought them out to the processing area and  
15 packaged each item individually in brown paper. I think  
16 they were each individual.

17 Q They were then put into the evidence locker?

18 A Yes.

19 Q Did you see them again before you sent them to  
20 the FBI?

21 A I only -- only the shirt and pants I sent to the  
22 ATF, and then we had nothing more to do with the clothing



000422



1 until they were requested from us by the agents and the  
2 FBI.

3 Q You had mentioned a transfer stain on the shirt;  
4 is that correct?

5 A Yes.

6 Q Could you describe that, as you first saw it.

7 A Well, the transfer stain I saw, there was blood  
8 on his lower cheek near the jawline. The lower edge was  
9 very clean -- the blood stain and the lower edge appears to  
10 be a straight sharp edge, and I saw blood on the part of  
11 his shirt which I believe is around the shirt collar.  
12 shoulder area. I deduced that the stain was made because  
13 his face was against there at one time. The sharp edge,  
14 therefore, coming from the edge of the shirt not allowing  
15 the blood to get below that point on his face, and that's  
16 what I felt was a transfer stain.

17 Q But what position was the head of the body when  
18 you first saw it?

19 A When I saw it, his head was straight with his  
20 body looking upward.

21 Q Do you know if the head was moved before you saw  
22 it?

1 A I can only deduce that it was because of the  
2 stain I saw, but no one told me it was, and I have not been  
3 able to find -- no one ever said anything since that that  
4 it has been, but I felt it had to have been sometime in  
5 contact with that shirt prior to my arrival.

6 Q Are you satisfied with the results or the  
7 description of the stain in the Fiske report?

8 A Yes.

9 Q Do you know if the car that was found in the  
10 parking lot was tested for prints?

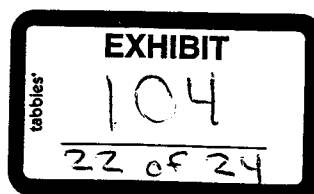
11 A I was told that it was processed by E.J. Smith,  
12 and I don't believe that he came out with any prints that  
13 were of value -- I mean, lifts that were of value.

14 Q But you don't know?

15 A Right now I can't recall but I don't recall  
16 seeing lifts. I think I would have made a mental note if  
17 there had been, but I know there were no lifts of value,  
18 definitely. And as to any lifts at all that were made, I  
19 think there was one or two but there was nothing on them.

20 Q Do you recall which officer followed behind the  
21 car when it was taken away?

22 A No, I don't.



1 Q When you saw the Arkansas tags on the car, did  
2 you associate anything with that?

3 A Yes.

4 Q What did you think?

5 A Well, I made -- when they had a White House pass  
6 and I saw the Arkansas tags, I suggested that this may  
7 possibly be somebody that the President may know.

8 Q Did you say that?

9 A Yes.

10 Q Would that have made a difference to you?

11 A Would it have made a difference -- it puts a bit  
12 more -- it's a little more stressful because intuitively,  
13 you know it's going to become a very important, scrutinized  
14 case.

15 Q Do you have operating procedures or protocols  
16 within the police, Park Police, concerning high profile or  
17 high ranking officials?

18 A We're suggested -- immediately we get in touch  
19 with the Secret Service and let them know what we had there  
20 at the scene.

21 Q That's part of your guidelines?

22 A I don't know if it's a guideline, or it's just --

1 we know to do it, especially when you have somebody from  
2 the White House that may be some security matter. I don't  
3 know. There may be guidelines on it.

4 Q Do you know if the Secret Service was contacted  
5 in this case?

6 A I didn't contact them, but I was told that they  
7 were contacted from the scene.

8 Q Do you recall seeing any Secret Service agents on  
9 the scene?

10 A No.

11 Q Do you recall seeing any FBI officials on the  
12 scene?

13 A No.

14 Q Do you recall seeing anyone from any agency that  
15 you were not familiar with on the scene?

16 A Besides the rescue people, the ambulance that  
17 came to take the body away and the coroner, I don't recall  
18 anybody else.

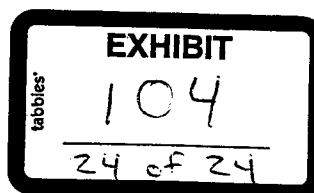
19 Q In your experience, is it usual for the first  
20 officer on the scene to file a report?

21 A He has to file it. The incident report is the  
22 initial report.



- 1 A Appears to be a supplemental report that I wrote  
2 in connection with the case.
- 3 Q Is that your signature at the bottom?
- 4 A From what I can see of it, yes.
- 5 Q I'm sorry. What's the date of that report?
- 6 A The date is 7/26/93.
- 7 Q Do you want to take a second to look at it? Are  
8 you familiar with it? I just want to ask you a quick  
9 question about it.
- 10 A Okay.
- 11 Q In that report you indicate that you saw one  
12 droplet of blood on the right index finger and no blood  
13 splatter on the shirt sleeves. Do you see that?
- 14 A Uh-huh.
- 15 Q In the interview, the report of the interview  
16 with the FBI, however, it appears that you say you saw no  
17 blood on the finger but you did see some blood on the  
18 shirt, and I'll hand you that. You might want to look at  
19 the top paragraph of that page.
- 20 A Okay.
- 21 Q Do you have any explanation for that  
22 inconsistency?

- 1 A No. I remember seeing a teeny droplet of blood.  
2 One time I thought it was on his finger but it may have  
3 been on his shirt or vice versa. There wasn't a great deal  
4 of it which I would have wanted to see, a patterning.
- 5 Q Officer, finally, do you have any thoughts or  
6 impressions about this investigation?
- 7 A Any concerning --
- 8 Q Of any sort.
- 9 A Yes. I just think the Park Police were put under  
10 a lot of pressure to hurry up and get this thing done. I  
11 don't like -- in a death investigation, there should never  
12 be any pressure.
- 13 Q Was that discussed among the Park Police  
14 involved, personnel involved?
- 15 A Yes, a lot of anger towards it.
- 16 Q If the investigation hadn't been rushed, what  
17 other kinds of -- what would you have done? What would  
18 have been done differently?
- 19 A I don't know. There was some items of  
20 evidence -- maybe not evidence, but there was articles that  
21 were gathered, personal papers and things which I think  
22 were released to the family's attorney. My opinion is we



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## FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/5/94

Mr. Peter J. Simonello, Identification Technician, United States Park Police (USPP), Annocostia Operations Facility, Washington, D.C. (telephone number 690-5192) was interviewed at the Office of the Independent Counsel, 1001 Pennsylvania Avenue, Washington, D.C. Mr. Simonello was advised as to the identity of the interviewing agent and informed of the nature of the inquiry. He then provided the following information.

According to Mr. Simonello, shortly after 6:00 pm on July 19, 1993, he was informed of the location of a dead body at Fort Marcy Park and in his capacity as identification technician for the U.S. Park Police, he responded to this notification arriving at Fort Marcy Park at approximately 6:30 pm.

Mr. Simonello advised that he immediately proceeded to the location of the second cannon at Fort Marcy Park and noted that at the death scene were U.S. Park Police officers Sergeant Edwards, John Rolla, Renee Apt, Frans Ferstl, Cheryl Braun, and Chris Hodakievic. According to Mr. Simonello, no other individuals were at the death scene when he arrived. In his capacity as identification technician, Mr. Simonello advised his activities at the death scene included the following:

Mr. Simonello's initial activities included being briefed by Investigator John Rolla relative to Rolla's initial observations of the death scene to include being advised by Rolla that the decedent had a revolver in his right hand and apparently had died from a self-inflicted gunshot. Mr. Simonello then proceeded to observe the disposition of the body as well as to check the immediate area for any physical evidence specifically verifying that the deceased had a revolver in his right hand. In regards to Mr. Simonello's observations, he advised that the decedent was laying face up with the head upslope resting near the crest of the slope, eyes were slightly open with arms straight at his sides. He specifically recalls blood staining around the chin area and from the nose down the right cheek. Simonello also observed blood along the right side of the decedent's mouth and specifically recalls what he labeled as a

Investigation on 4/28/94 at Washington, D.C. File # 29D-LR-35063

by \_\_\_\_\_ Date dictated 5/4/94

OIC 000426

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EXHIBIT

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Continuation of FD-302 of Peter J. Simonello, On 4/28/94, Page 2

blood transfer pattern on the right cheek as well as noticing the presence of a few flies around the decedent's nostrils.

Simonello also related that the decedent was dressed in a white shirt, dark slacks and black dress shoes and that his clothing appeared neat and absent of any dirt or soil or any evidence of struggle. In regards to the clothing, Simonello advised that he observed blood stains on the right shoulder and neck area of the decedent's shirt, and what appeared to be a drop of blood on the right sleeve of the decedent's shirt. Additionally he observed a blood spot on the right rib cage area of the shirt. He did not observe any blood stains on the decedent's hand.

In regards to the positioning of the weapon in the decedent's hand, Simonello stated that a 4 inch 38-caliber revolver was trapped between the front of the trigger and the trigger guard just behind the mid-joint of the knuckle on the decedent's right hand. He further stated that subsequent to taking a series of 35mm photographs, he extricated from the decedent's right hand the 38 revolver advising that he needed to half cock this weapon in order to release the weapon from the decedent's thumb which was trapped at the knuckle of the right thumb of the hand. In the process of removing this weapon, Simonello stated that he observed a deep impression on the decedent's right thumb where the weapon had been located. Furthermore Simonello advised that he observed along the edge of the decedent's right index finger to the joint of the right thumb powder residue. He related that in removing the weapon, the decedent's hand was limber or flexible with little or no sign of rigor.

In addition to removing the weapon from the decedent's hand, Simonello advised he also took possession of a pair of prescription eyeglasses which were located at the bottom of the slope approximately 13 feet from the bottom of the decedent's feet. In addition to securing these evidentiary items, Mr. Simonello specifically observed the immediate area of the death scene advising that he did not observe any foot tracks, tire marks or any trampled bushes or vegetation. Additionally he stated that there was no dirt or soil on the decedent's garments nor any indication of a struggle or for that matter any evidence to indicate that the decedent's body was physically placed at the scene.

Investigator Simonello advised that, to the best of his recollection, that approximately 15 minutes after arriving at the

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Continuation of FD-302 of Peter J. Simonello, On 4/28/94, Page 3

death scene, he took a series of 35mm photographs, approximately 24 in number of the decedent's position, the immediate crime scene area to include a series of photographs of the decedent's 1989 Honda located in the Fort Marcy parking lot. Although these 35mm photographs were under exposed and therefore not available for Mr. Simonello's review, he did advise that Investigator John Rolla took a series of polaroid pictures of the death scene. In this regard, Mr. Simonello was exhibited a series of enlarged polaroid photographs obtained from the U.S. Park Police and advised that these photographs were a true and accurate depiction of the decedent's body and death scene area which he physically observed on July 20, 1993. Mr. Simonello maintained, however, that all photographs he took as well as the polaroid photographs taken by John Rolla were initiated and completed prior to his touching or his observations of anyone else touching the decedent's body.

Additionally, Simonello advised for clarification purposes, that the death scene sketch he had previously submitted identifying the distance from the second cannon axle to the top of the decedent's head as being 14 feet was, in fact, incorrect since the measurement was actually taken from the cement anchor of the second cannon to the top of the decedent's head which is in fact 20 feet in distance. He stated, therefore, the decedent's head was almost at the crest of the hill and opined that the head was, therefore, on enough of an incline that the blood from the decedent's body predominately ran down the back of his head. According to Simonello, a medical examiner arrived shortly before 8:00 pm and stated that when the decedent's body was turned on its stomach he observed a large pool of blood where the head had been situated. Simonello stated that he photographed this particular area and checked for the expended round with negative results. Simonello additionally advised that based on his experience in viewing in excess of 100 death scenes, he believed that the decedent was dead for between two and three hours prior to his personal observations. He advised that this estimation of time of death was based, even though in his opinion, the fingers of the decedent were limber and there were no signs of rigamortous.

In addition to the information supplied by Mr. Simonello regarding his activities at the death scene on July 20, 1993, he also supplied information relative to the collection, examination and disposition of evidentiary material collected at the death scene. Specifically, Simonello advised that he

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/12/94

was reinterviewed at the Office of the Independent Counsel, 1001 Pennsylvania Avenue, Washington, D.C. was advised as to the identity of the interviewing agent and specifically informed of the nature of the inquiry. He then provided the following information:

was informed that in light of additional information being obtained by interviewing agent relative to the description of Mr. Vincent Foster's 1989 Honda Accord, that it was necessary to reinterview him relative to his observations at Fort Marcy Park, Virginia on July 20, 1993. maintained that, to the best of his recollection, the observations previously furnished to interviewing agents on April 15, 1994 were still consistent with his observations of the two vehicles he observed at approximately 4:15 pm on July 20, 1993 at Fort Marcy Park.

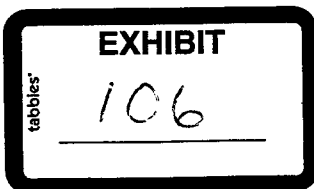
In an attempt to further clarify observations on that day, he was informed that the official note taker for the U.S. Park Police in describing Mr. Foster's four door Honda, Arkansas license plates , notes that the vehicle examined at the Fort Marcy parking lot on July 20, 1993, was "gray/brown" in color. was also advised that the second USPP officer to arrive at the death scene also described Mr. Vincent Foster's vehicle as, "a gray/brown Nissan four door with Arkansas registration parked in the 4th space from the front of the parking lot." Additionally Mr.

was informed that a witness who was in the Fort Marcy parking lot at approximately 5:45 pm on July 20, 1993, described what eventually turned out to be Mr. Foster's Honda vehicle as a "Japanese model, brown in color." In addition to furnishing this background information to he was also exhibited a 35mm photograph (partially underexposed) which was taken by Officer Peter Simonello, USPP at the Fort Marcy parking lot on July 20, 1993. The photograph of Mr. Foster's Honda when viewed next to a light colored USPP vehicle appears extremely dark in

Investigation on 5/11/94 at Washington, D.C. File # 29D-LR-35063

by \_\_\_\_\_ Date dictated 5/11/94 OIC 000269

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000429

**DEPOSITION OF RICHARD M. ARTHUR  
IN RE: S. RES. 229**

**THURSDAY, JULY 14, 1994**

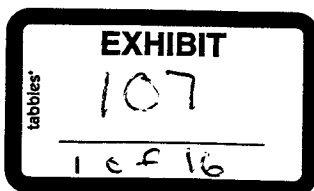
**U.S. SENATE,  
COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS,  
Washington, DC.**

Deposition of RICHARD M. ARTHUR, called for examination pursuant to notice of deposition, at 2:40 p.m. in Room SC-06 of the Capitol, before JULIE BAKER, a Notary Public within and for the District of Columbia, when were present:

**GLENN F. IVEY, Esq.**  
Majority Counsel  
**ROMAN E. DARMER, III, Esq.**  
**JULIE FALLON, Esq.**  
Minority Counsel  
Committee on Banking, Housing, and Urban Affairs  
U.S. Senate  
On behalf of the Committee.

**GERARD TREANOR, Esq.**  
Cacheris & Treanor  
1100 Connecticut Avenue, NW  
Washington, DC  
On behalf of the Deponent.

**ALSO PRESENT: PAUL GOLDENBERG**



000430



1 right to me.

2 So I called it, no answer. Called it the next  
3 day, no answer. Called it like a third day -- I called it  
4 quite a few times. Finally got an answer and asked where  
5 it was and the guy told me. I don't know who I was talking  
6 to. It might have been somebody that stopped there to use  
7 the phone.

8 Q All right. Let me go back to July 20. I'll come  
9 back to that in a minute. Who was working with you that  
10 night?

11 A On the medic unit or on the whole entire  
12 station?

13 Q The medic unit, the people that went out to Fort  
14 Marcy Park with you.

15 A We had a medic and engine response for the  
16 initial dispatch.

17 Q Who went out to Fort Marcy Park with you?

18 A On the medic unit, the driver was Todd Hall. The  
19 officer was Sergeant George Gonzales and Richard. I was in  
20 the back. On the fire engine I want to say it was Ralph  
21 Pasany driving. At the time I think he was a sergeant but  
22 he's now a lieutenant. I should remember his name --

18

1 Icahn, Jay Icahn, and then in the bucket of the engine. --

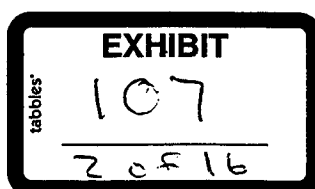
2 Q The bucket being the middle?

3 A Well, you've got the driver, the officer and the  
4 two firefighters sit backwards and stuff, they're called  
5 buckets. In the bucket it was Jennifer Walker, firefighter  
6 Jennifer Walker.

7 Q Why does the fire truck go --

8 A On certain dispatches, they're automatically  
9 dispatched, such as if there's a broken arm, it would just  
10 be a medic unit or an ambulance. If it's a shooting, heart  
11 attack, stabbing, something that calls for lots of work,  
12 lots of manpower where you may need to do a lot, they  
13 automatically send an engine just for assistance. The call  
14 came in as a -- if I remember correctly, it was a body  
15 lying next to a cannon, unknown situation, don't know if  
16 the patient is alive, dead, don't know if a hanging,  
17 whatever. We had no idea, so they automatically sent a  
18 medic unit and an extra personnel just in case for carrying  
19 equipment, if CPR is needed, the medics can do the IVs and  
20 stuff, they can do the manual labor.

21 Q How long did it take you to get there to the  
22 park?



000431

1 A Because we walked all the way down to the river,  
2 came back and we went to the body. When we came back they  
3 were there, so 10, maybe 15 minutes, if that.

4 Q And who discovered the body first?

5 A Todd Hall and George Gonzales. What we ended up  
6 doing, when we first pulled into the park --

7 MR. TREANOR: He asked you who discovered the  
8 body first.

9 THE WITNESS: I was going to say Todd Hall and  
10 George Gonzales discovered him first.

11 BY MR. IVEY:

12 Q Was there a Park Police officer there when you  
13 got to where the body was?

14 A I believe there was.

15 Q Do you know his name?

16 A I have no idea.

17 Q Was there any conversation going on when you got  
18 to where the body was?

19 A Conversation between who or what?

20 Q Any of the people out there by the body.

21 A We saw the gun, and we were just making fire  
22 department humor type things. I was just interested in

1 seeing a dead body. I'm always interested in seeing a dead  
2 body. If it looks good, I remember it. If it doesn't -- a  
3 good one is when a head is blown apart. I kind of remember  
4 that just so -- it's just something that firefighters do.  
5 Firefighters are a different breed altogether. And when we  
6 got up there, there was just conversation about yeah, he's  
7 here, you know.

8 Q Do you know if anybody checked for a pulse?

9 A No. I do not know if anybody touched the body or  
10 if anybody checked for a pulse. That's the one thing I  
11 think I should have done, but from what I saw and from what  
12 it looked like, he was obviously dead.

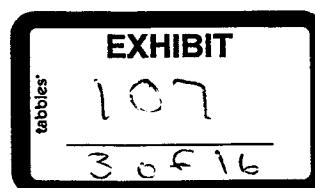
13 Q Why do you think you should have done it?

14 A Because I was riding in the back, although I  
15 wasn't first to the body, and I assumed that my sergeant or  
16 Todd who found the body, did it first, and they said yes,  
17 he's dead. So there would be no reason for me to go back  
18 and do it, but it was my job that day.

19 Q Did you have any indication that he might still  
20 be alive?

21 A No.

22 Q So where did you see the gun?



1 A Underneath the right hand, tucked underneath the  
2 right leg.

3 Q What color was the gun, do you recall?

4 A I saw a -- it was like a brownish, blackish gun.

5 Q Do you know what type?

6 A It looked like an automatic style.

7 Q Were you able to see --

8 A I saw a square handle and like a square barrel  
9 and stuff, and that was tucked under. To me, from what I  
10 saw, it looked like an automatic style. I don't know  
11 whether it was a .45, a 9 millimeter or anything like  
12 that. I just know that it seemed to be an automatic and  
13 not a revolver, like what was reported.

14 Q Did you see any blood?

15 A Yes.

16 Q Where was the blood?

17 A All down the right side neck, all down the right  
18 shoulder all the way to about here.

19 Q Where was the blood coming from?

20 A To me, it looked like there was a bullet hole  
21 right here.

22 Q In the neck?

1 A Yes, right around the jawline.

2 Q The neck and jawline underneath the right ear?

3 A Somewhere there. I would have to see a picture  
4 to point it out exactly where, but there was a little bit  
5 of blood coming out of the mouth, too, and a little out of  
6 the nose but the main was right here. I didn't see any on  
7 the left side. I didn't see any in the chest or anything.

8 Q For the record, when you say in the main right  
9 here --

10 A It was all from here, the neck all the way down  
11 to the right.

12 Q Down the right shoulder?

13 A Yeah, down to the right shoulder to about here.

14 Q And so was it pooled blood or was the shirt just  
15 damp with blood?

16 A Pooled meaning -- what do you mean? Was he lying  
17 in a pool of blood?

18 Q Was there standing blood or was it just --

19 A Was it going down the arm?

20 Q Was it pooled there or dripping?

21 A I didn't see any blood dripping. He looked like  
22 he was there for a while.



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1 the way back up to the parking lot, and that's where we met  
 2 up with Todd and George and said yeah, he's over this way.  
 3 Okay, I'll go take a look at him and that's when I went up  
 4 to the body.

5 Q Did you see any wounds on the body?

6 A See any wounds? Like I say, I thought I said a  
 7 bullet hole.

8 Q Did you see an exit wound anywhere?

9 A I did not see any exit wounds.

10 Q When you pointed there, you pointed to your neck  
 11 under your ear?

12 A Yeah, where I pointed to before.

13 Q Did you guys put the body in a body bag?

14 A No. The ambulance came back later -- we left.

15 The Park Police did their investigation and Fairfax County,  
 16 the fire department does the transports to the morgue and  
 17 stuff like that. So the ambulance came back. The  
 18 ambulance came from our station and that's -- it's just  
 19 like a basic life support EMTs, which is like first aid,  
 20 basically. They went there and they picked up the body and  
 21 put the body in the body bag.

22 Q Were you there at the point when the gun was

1 recovered by a police officer?

2 A The gun was never touched when I was there.

3 Q Did you ever see any gunpowder anywhere?

4 A No.

5 Q Did you say at one point the body looked like it  
 6 was ready for a coffin?

7 A Not in this thing here, not today.

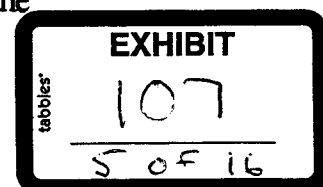
8 Q No, not today.

9 A Okay. Yeah. The body was laying straight. He  
 10 was on a hill about like 45 degree angle -- I don't know  
 11 precisely -- but let's say a 45 degree angle hill and a lot  
 12 of shrubbery, foliage, whatever you want to call it. His  
 13 feet were pointing downhill. His head was uphill, and he  
 14 was just laying perfectly straight. Head pointing forward,  
 15 eyes open -- at least I think the eyes were open, I'm  
 16 pretty sure they were -- and he was just laying perfectly  
 17 straight, hands at his side. Gun was tucked underneath. I  
 18 didn't notice any legs bent, twisted or anything.

19 Q So you were there about 30 to 40 minutes all  
 20 together? Would that be right?

21 A Sounds about right. Could be right, yeah.

22 Q Did you see any footprints or anything around the



1 And from what I saw, a gunshot wound here looked like a  
 2 small sized bullet hole, small caliber, and from the gun  
 3 that I saw, it appeared to be a larger caliber like an  
 4 automatic or something. It just didn't match up. I mean,  
 5 I didn't think about it right at the time.

6 After, you know, hearing about who this was and  
 7 stuff then I started thinking yeah, okay. But you know, it  
 8 just didn't seem right to me that a man would go shoot  
 9 himself way back in the woods. He was pretty far back,  
 10 over a hill and lay on an embankment in the woods when  
 11 there are lots of benches around. I mean, the cannon -- he  
 12 could have been leaning up the cannon or something, you  
 13 know. It seemed like he was placed where -- you had to go  
 14 off the beaten path to find him. Let's put it that way.  
 15 He wasn't just right there. He had to go around the  
 16 cannon, up a hill, and it just seemed a little difficult to  
 17 be able to find him unless you were hiking through the  
 18 woods.

19 I don't know how many people hike through the  
 20 woods. The man was just laying perfectly straight, and the  
 21 blood was here and anybody shooting himself here, okay,  
 22 somebody could do that but how did the gun get underneath

1 of his leg and just laying perfectly straight and not  
 2 tilted to the side or anything, you know. And I don't  
 3 know -- I heard a .38 revolver was reported and to me, a  
 4 .38 would have an exit wound. I've seen .38 gunshot  
 5 wounds before to the head, and they've had exit wounds  
 6 before. I don't know, maybe just out of some weird  
 7 coincidence or something, this one didn't, but from what I  
 8 saw in past things, .38s usually have an exit wound.

9 Q Other reasons?

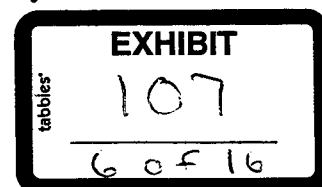
10 A Other reasons --

11 Q If there are any.

12 A There was no one there to show us where the body  
 13 was. The phone call came from the pay phone outside of the  
 14 park headquarters. Why would somebody call 911 from there  
 15 when people were present at a building about 20 feet away.  
 16 Why not just go to the park headquarters and say hey, look,  
 17 there's a body up in the woods. But then again, maybe the  
 18 person didn't want to be known or something. But it just  
 19 seems -- the whole thing seems really strange to me.

20 Q Let me back up to one of the points you made.  
 21 You said no one was there to show where the body was.

22 A Correct.



1 Q Why does that --

2 A Usually if people call 911 and say hey, there's a  
3 body in the woods behind such and such an address, we go  
4 there. There's somebody there to point it out. You know,  
5 every now and then there's not because they don't want to  
6 be known who they are. Okay, fine. But they'll give us a  
7 precise location. The body is in the woods behind 30  
8 whatever court, the yellow house and we'll go to the yellow  
9 house and we'll see it. This one, there's a body lying  
10 next to a cannon in Fort Marcy Park.

11 I think we passed two or three -- he was laying  
12 next to the third cannon or second cannon -- I can't really  
13 remember -- I remember how to get to the spot but I can't  
14 remember how many cannons. If somebody wanted us to find  
15 the body precisely, why not just say there's a body next to  
16 the third cannon off to the path to the right rather than  
17 saying hey, there's a body in the woods next to the  
18 cannon. It just seems weird. And the bullet hole, the  
19 caliber from what I saw and that just didn't match up.  
20 Like I said, I'm not a forensic expert.

21 Maybe he used a lower caliber bullet or somebody  
22 used a low cal bullet and low cal gun. You know, I don't

1 know. He was just perfectly straight. It just seemed  
2 weird, how the gun got underneath the leg and he was off  
3 the beaten path over a hill. I mean, most people wouldn't  
4 go back into shrubbery and sit down in all this shrubbery  
5 and everything around him and shoot himself. I mean, maybe  
6 he would, but I don't know. I didn't know the man, so I'm  
7 just saying it just doesn't seem like a normal suicide that  
8 I would have run into. Let's put it that way.

9 Q You said earlier you sort of had taken an  
10 interest in the case, and that was why you had tried to  
11 track down the number of where the call came from.

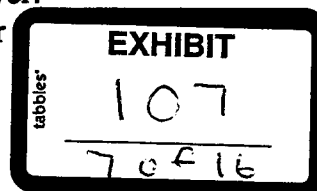
12 A Yes.

13 Q Did you read any subsequent reports in the  
14 newspapers or whatever about this investigation?

15 A Not really. Meaning what?

16 Q Newspaper articles.

17 A I didn't even know who it was until the very next  
18 day, to tell you the truth. I drove home. I talked to my  
19 wife about pretty much all the stuff that goes on, you  
20 know, and she said you know that body you guys found in the  
21 woods, it was such and such. I'm like okay, whatever.  
22 Interesting. I figured the Park Police are doing their



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1 A George is a character. George is the type of  
2 person, in my opinion, he can get pressured into doing a  
3 lot of things. If everybody around him are saying hey,  
4 man, I think that might be a homicide, he likes to be the  
5 big man in charge, meaning the gold badge, and he would  
6 approach and go to the papers and say yeah, I think it was  
7 this because of this, this and this. I never approached  
8 him. I never asked him why he classified it as a suicide.

9 I talked to Corey who put the body into the body  
10 bag. He classified it as a homicide. He didn't talk to  
11 anybody when he came back to the firehouse after doing the  
12 body. He went straight -- he did his report and then he  
13 didn't even know who it was or anything like that. I mean  
14 he might have known. He might have put in a name or  
15 whatever, but I asked him if there was an exit wound, and  
16 he said no. He said the head was intact when he picked it  
17 up. So that's just another thing that led me to believe  
18 that it could have been a homicide.

19 Q So you did talk with Corey about this, Corey  
20 Ashford?

21 A Yes. I can't remember what night or when or  
22 whatever, but I talked to him and it was -- I can't

1 remember when I've talked to people or when. It's been  
2 over a year now.

3 Q That's fine. As far as what you guys talked  
4 about, do you recall that?

5 A Like I said, I asked him if the head was intact  
6 and he said yeah. I asked him how he coded it as a  
7 homicide, and he said that's what he thought it was.

8 Q Did he say why he thought it was a homicide?

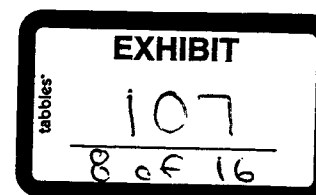
9 A I didn't ask him.

10 Q Did he ask you what you thought about it?

11 A No, not that I can recall.

12 Q Let me ask you this: If I told you that there  
13 was no gunshot wound in the neck, would that change your  
14 view as to whether it was a suicide or not?

15 A No, because I mean -- I've read the reports and  
16 all that stuff and the report from Fiske came out and he  
17 says there's no gunshot wound to the neck and there was no  
18 sign of struggle and that it was definitely, from what I  
19 understand -- let me see if I can remember this right -- he  
20 used an old-style revolver, put it in his mouth upside down  
21 and pulled the trigger. What I saw is what I saw. I saw  
22 blood all over the right side of the neck, from here down,



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1 all over the shoulder, and I saw a small -- what appeared  
 2 to be a small gunshot wound here near the jawline. Fine,  
 3 whether the coroner's report says that or not, fine. I  
 4 know what I saw.

5 Q What about the exit wound at the back of the  
 6 head?

7 A Is there one? I didn't know there was one.

8 Q Did you come across that when you read the  
 9 report?

10 A No. I mean, I didn't read the whole Fiske  
 11 report. I've just read bits and pieces, like in newspaper  
 12 articles and stuff like that. Was there an exit wound?

13 Q Let me ask it this way. If I told you there was  
 14 an exit wound in the back of the head, right about here,  
 15 pointing to the middle of the back of my head, would that  
 16 change your opinion as to whether it was a suicide or  
 17 homicide?

18 A In my opinion, from where I saw a hole, it could  
 19 have gone up through or something. It wouldn't change my  
 20 opinion. It's still a mystery to me. Now, whether he shot  
 21 himself or not, I don't know.

22 Q Let me ask you this: The point you pointed to on

1 your neck the jawline or the neck line, about 2 inches  
 2 underneath the ear, if that bullet had gone straight  
 3 through --

4 A Straight through this way or this way?

5 Q This way, the way you were pointing it first.

6 A It probably went up if it went into his brain.

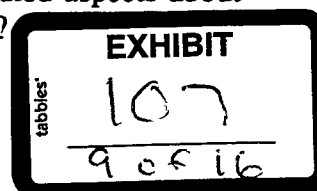
7 Q If it went through this way, where would the exit  
 8 wound be on the left side of his head? Wouldn't it --

9 A If it went up this way, it probably would be  
 10 coming out like this.

11 Q You think it could have come out of the exit  
 12 wound that they found?

13 A I don't know. Anything is possible. I know  
 14 people that have been shot in like the shoulder and have it  
 15 come out like over here or something. Shot here and come  
 16 out way down here from ricocheting off the bones. So what  
 17 I'm saying is it could have gone up here and I don't know,  
 18 maybe followed the jawline up or maybe through here  
 19 underneath the jaw and out the back or something. I never  
 20 knew there was an exit wound in the back.

21 Q Let me ask you this: You studied aspects about  
 22 bones and the skull and that part; right?





1 A Uh-huh.

2 Q Between the neck, if it went in the way you  
3 thought it did, are there bones that you would think would  
4 be big enough to change the direction of a high-caliber  
5 bullet of the caliber you thought you saw?

6 A The caliber that I thought I saw, I don't think  
7 there would be bones to change the direction, no.

8 Q Do you feel that's a straight line if it went  
9 into the middle of the neck and came out of the back of the  
10 head?

11 A I don't know. I'd have to see where the exit  
12 wound was.

13 Q Actually, let me ask you this: Did you see any  
14 gunpowder around the neck area where you thought you saw a  
15 bullet?

16 A No.

17 MR. TREANOR: You mean stippled around the  
18 wound?

19 THE WITNESS: "Stippled" meaning what?

20 MR. IVEY: I mean gunpowder.

21 THE WITNESS: "Stippled" meaning what?

22 MR. TREANOR: I'm talking to counsel. You're

1 asking about --

2 MR. IVEY: Just gunpowder.

3 BY MR. IVEY:

4 Q Did you see anything like that?

5 A Not that I can recall.

6 Q Did you see any type of black or dark spots  
7 around that area of the neck in a circular pattern?

8 A Not that I can recall. I remember it being dark  
9 there, maybe from a blood clot or blood drying up there  
10 or -- I don't know.

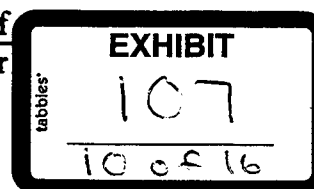
11 Q In your experience as a technician, have you seen  
12 shots where there was gunpowder or that series of a  
13 circular dark pattern of dark marks around --

14 A I've seen pictures. I mean, the main suicides we  
15 get are like shotgun wounds in the mouth, and the gunshot  
16 wounds we see that are suicides, we can get up there and  
17 half the head is blown off. So as far as the circular  
18 pattern, I've never seen that in real life.

19 Q Did you see that on Mr. Foster, anywhere on him?

20 A Not that I can recall.

21 Q Let me ask you one more question about that. If  
22 I told you that they found an entrance wound in the upper



1 part of his mouth --

2 A That's what I remember from the reports.

3 Q -- and that was in a straight line to the exit  
4 wound in the back of the head, would that change your view  
5 as to whether it's a homicide or suicide?

6 A If that's what they found, and that's what they  
7 say they found, then fine. That's what they found. I know  
8 what I saw. Now, if I saw that, and that's what was there  
9 and that's what I saw and I saw the exit -- if it appeared  
10 that the man shot himself in the mouth or something, then  
11 fine, maybe he shot himself in the mouth and it was a  
12 suicide, but to me, from the positioning of the body and  
13 the gun that I saw and stuff, it just didn't look like a  
14 suicide.

15 Q Let me ask you this, too. If the gun was  
16 actually a .38 revolver, and they found an empty spent --

17 A Cartridge.

18 Q -- cartridge inside the gun and a live round in  
19 the gun and the two cartridges matched, would that change  
20 your view as to whether it was a suicide or homicide?

21 A I'm really not saying that it's a suicide or  
22 homicide. I'm just saying what I saw.

46

1 Q Would you still be as doubtful as to whether it  
2 was a suicide or not?

3 A I'm doubtful in the sense of what I saw. And  
4 what I saw was what I told you. Now, if they found all  
5 that stuff, okay.

6 Q But I guess I'm trying to see if additional  
7 information -- I mean, when you came to the scene, there  
8 was pieces of information that you looked at.

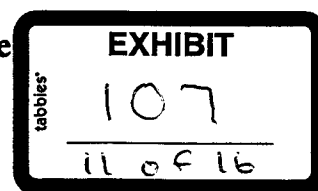
9 A And more information helps out. I understand  
10 that. And as far as the exit wound, you know, I never knew  
11 there was an exit wound. That helps out, that a gunshot  
12 wound, exit wound there, but as far as I know, I saw the  
13 gunshot wound here.

14 Q How about if I add a couple more factors for  
15 you.

16 A Okay.

17 Q Let's say they found gunpowder in the mouth  
18 around the entrance wound, gunpowder on the hands, more on  
19 the right hand than on the left hand and the powder  
20 matched, the powder in the mouth and on the hand. Would  
21 that change your view at all?

22 A From what I saw -- I mean, from what you're



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1 saying and everything that they've reported and stuff, it  
 2 sounds like a suicide. From what I saw, to me, there's  
 3 question. Now, I didn't see the powder on the hand. I  
 4 didn't see the powder in the mouth. I didn't see the  
 5 entrance wound in the mouth. I didn't see the exit wound.  
 6 I didn't see all the things you just told me. So there's  
 7 still question in my mind.

8 Now, if I was to take you for your word and  
 9 believe everything and stuff like that, then fine, it could  
 10 be a suicide, but I'm still saying there's question because  
 11 I didn't see all that. And if the man put a gun in his  
 12 mouth and blew his head backwards, how did the gun get  
 13 under his leg? How come he was laying perfectly straight?  
 14 How come there was only blood going down the right side of  
 15 the neck down the right shoulder? Why not the left side?

16 Q Let's take those one at a time.

17 A Take what at a time?

18 Q The points you just made.

19 MR. TREANOR: Relax. Wait until he asks the  
 20 question and answer the questions that he asks you.

21 BY MR. IVEY:

22 Q Again, I'm just adding additional factors. If I

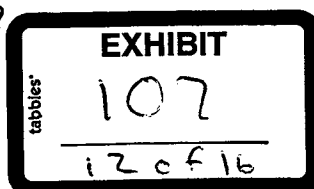
1 told you that the officer who removed the gun from his hand  
 2 found that his thumb was stuck between the trigger and the  
 3 trigger guard in such a way that he couldn't just pull it  
 4 off, he had to actually cock the weapon so the trigger  
 5 could move back before he could take the gun away, would  
 6 that change your view at all?

7 A No.

8 Q So let me ask you this: If you had to write a  
 9 report today, the type of report you were saying that  
 10 Gonzales and Ashford wrote, and you had all of this  
 11 information before you --

12 A All of what information?

13 Q The entrance wound being in the mouth, on the  
 14 neck. The entrance wound and the exit wound being in a  
 15 straight line, .38 caliber bullet, spent and a live round  
 16 in the .38 caliber gun, which was found in his hand, the  
 17 thumb being stuck between the trigger and the trigger  
 18 guard, gunpowder found around the entrance wound in the  
 19 mouth, gunpowder found on the webbing of the right hand,  
 20 lesser amount on the webbing of the left hand, if you were  
 21 writing that report with that information, would you  
 22 classify it as a suicide or homicide?



1 weapons and stuff, my grandfather was a cop. My father was  
 2 a cop for a short time and my lieutenant at the firehouse,  
 3 he is a gun expert, and there's always gun magazines laying  
 4 around the firehouse. The firehouse I was at before this  
 5 one, my sergeant down there was a green beret so he had  
 6 guns and magazines so I'm pretty familiar with what guns  
 7 look like. I can't -- if you throw like five guns on the  
 8 table and they all look similar but they're all different  
 9 names and stuff, I can't tell you the names and whatever,  
 10 but that's an automatic, that's a revolver. This is a  
 11 rifle and that's a high caliber, that's a low caliber. I  
 12 can distinguish stuff like that.

13 Q Would you be able to draw what guns look like, if  
 14 you were asked to?

15 A Yes, I could say so.

16 Q You would be able to draw what a .38 revolver  
 17 would look like, for example?

18 A I guess I could, yes.

19 Q Why don't you draw it on this piece of paper.

20 A You want a .38 revolver?

21 Q .38 revolver.

22 A Okay. I mean, I could draw a revolver. Not

1 whether it's a .38 or not.

2 Q Just any kind of revolver would be fine.

3 A I'm not an artist.

4 Q Would you write underneath what you drew.

5 A .38 revolver. Do you want me to sign it?

6 Q Actually, on the same page, would you also draw,  
 7 if you could, a .45.

8 A An automatic.

9 MR. DARMER: Could we have that marked as an  
 10 exhibit.

11 (Arthur Exhibit 3 identified.)

12 BY MR. DARMER:

13 Q Were you ever contacted by the Park Police in  
 14 this case after the fact?

15 A Not directly, no.

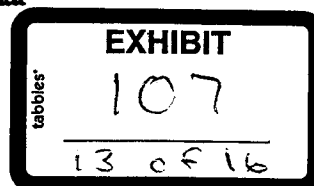
16 Q They never contacted you to ask you to give a  
 17 report or talk to you?

18 A No.

19 Q Did you try to contact anyone in the Park Police?

20 A No.

21 Q Did you ever tell anyone in the department that  
 22 you thought this case might be something other than a



1 suicide?

2 A I can't recall if I ever told anybody that or  
3 not.

4 Q Did you ever talk about that with Sergeant  
5 Gonzales?

6 A No.

7 Q Did you see Sergeant Gonzales's assessment before  
8 it was written?

9 MR. TREANOR: I didn't hear the question.

10 BY MR. DARMER:

11 Q Did you see Sergeant Gonzales's assessment before  
12 it was written?

13 A The report?

14 MR. IVEY: I don't understand the question. Did  
15 you see the report before it was written?

16 THE WITNESS: You're talking about the draft that  
17 you write at the scene and this then you bring it back and  
18 put it into the computer? You're talking about the draft?

19 BY MR. DARMER:

20 Q Do you know if he did a draft?

21 A I don't know.

22 Q Do you know if he took notes at the scene?

1 A I can't say. I don't know.

2 Q With respect to the bullet wound that you think  
3 you saw in the -- at the scene, could you describe in some  
4 detail exactly what you thought you saw?

5 A I saw what appeared to be a bullet hole, which  
6 was right around the jawline on the right side of the neck.

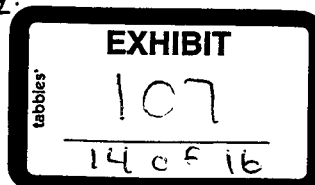
7 Q About how big?

8 A It looked like a small-caliber entrance wound,  
9 something with -- I don't want to say a .22 or whatever,  
10 but it was a small caliber. It appeared to be a smaller  
11 caliber than the gun that I saw.

12 Q Can you estimate how big it was?

13 A I can't say for sure about how big the hole was.  
14 I can't really estimate. There was blood all around it,  
15 blood down the side of the neck. I wasn't really looking  
16 for gunpowder. I wasn't looking for -- my job when you get  
17 on the scene is to see if a patient is alive or dead and if  
18 I can help them. The patient was dead. I took a quick  
19 look, saw what appeared to be a bullet hole, saw the blood  
20 on the side of the neck, so I guess I assumed it was a  
21 bullet hole.

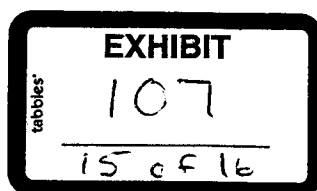
22 Q Was the blood dry?



- 1 A It wasn't running.
- 2 Q Any other things that you noticed about the
- 3 bullet wound you thought you saw or you said you saw?
- 4 A I'm not sure what you're --
- 5 Q I just want to know what you saw. How close were
- 6 you to the body when you saw this?
- 7 A 2, 3 feet.
- 8 Q Did you notice any man-made debris or garbage
- 9 around the body or the area where the body was?
- 10 A Don't recall.
- 11 Q Do you think that George Gonzales was pressured
- 12 into classifying this case as a suicide?
- 13 A I'm not saying that. I don't know. He
- 14 classified it, I think, without talking to anybody first.
- 15 Q You say you saw the gun slightly under the leg?
- 16 A Yes.
- 17 Q Could you explain or give me some indication as
- 18 to how it was situated?
- 19 A The barrel of the gun was under the leg. His
- 20 hand was on the clip portion. It was not tucked all the
- 21 way under his leg. Just part of the barrel was underneath
- 22 of his leg. It was, I want to say pointed -- almost

66

- 1 pointed towards his leg. I don't think it was pointed at
- 2 any kind of angle but I can't remember that for sure, what
- 3 angle.
- 4 Q And could you describe again how his hand was,
- 5 where his hand was with respect to the gun.
- 6 A His hand was laying on the gun. I don't remember
- 7 if any fingers or thumbs or anything were in the trigger or
- 8 anything like that. I just remember his hand being on the
- 9 gun.
- 10 Q So was his hand on the gun or was it grasping the
- 11 gun?
- 12 A I want to say on the gun. I can't really say he
- 13 was grasping.
- 14 Q How big would you say the blood stain was on the
- 15 shirt that you observed?
- 16 A Well, from -- maybe an inch or so up from the
- 17 elbow on the right elbow up the sleeve and like from the
- 18 collar bone all the way around. It was like all around
- 19 here.
- 20 Q Did it go over on to the back?
- 21 A I didn't roll the patient over so I couldn't
- 22 tell.



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1 Q Did you touch the shirt?

2 A No, I did not.

3 Q Could you tell if the blood was dry or wet?

4 A I couldn't tell just by looking at it.

5 Q Mr. Arthur, based on your experience and your  
6 view on the Fiske report, do you have any concerns about  
7 the investigation that you'd like to discuss with us or  
8 share with us?

9 A Concerns meaning what?

10 Q Any thoughts about the case other than what  
11 you've expressed today?

12 A The only thing I want is for this whole thing to  
13 be over. Whether it was classified as a suicide or  
14 homicide, I don't care. I'm not big into political  
15 anything. If we ever find out if it was a suicide, if we  
16 ever find out it was a homicide, like I said, I could go  
17 either way.

18 Q I do have another question for you. Do you  
19 recall being shown pictures by the FBI?

20 A Yes.

21 Q What kind of pictures were they, if you know?

22 A They were pictures of the body on the scene.

68

1 Q Were they Polaroid pictures?

2 A No, they weren't. They didn't appear to be  
3 Polaroid pictures. They appeared to be the pictures that  
4 the Park Police took on the scene, .35 millimeter, I would  
5 say.

6 Q Were they clear?

7 A They appeared to be pretty clear.

8 Q Do you remember how big they were?

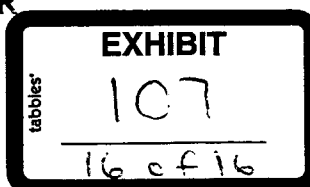
9 A I'd say 8-by-10.

10 MR. DARMER: That's it. I don't have any further  
11 questions.

12 MR. IVEY: I have no further questions. I'd like  
13 to thank you for your time.

14 (Whereupon, at 4:15 p.m., the deposition was  
15 concluded.)

16  
17  
18 RICHARD M. ARTHUR



000445

open.  
• pants - neat, no  
dust, & neat

---

Kevin - move to  
right of the body & chest of head  
• complexion - grayish  
in color

• head slightly  
tilted to right side / <sup>close to</sup> ~~top~~

• trickles of dried dark  
blood corner of <sup>mouth</sup> ~~mouth~~  
as possibly of flair - ~~not~~  
~~flowing~~ as spotty - not  
flowing

- no other blood on face
- no observable veins
- hair was neat
- ~~head~~ legs were  
straight - arms were  
relaxed and at the  
side,
- didn't play with hand



161

000446

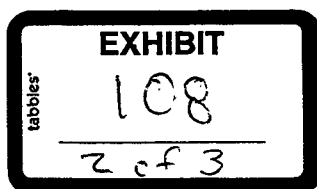


and didn't see ~~observed~~  
you have time to look  
for a gun, since  
EMT arrived.

• Kevin was unaware  
of death scene - but  
to shot - exposing white  
stuck, but not  
in regards to shirt, blood:  
etc - specifically no  
blood on right shoulder

Kevin: - Death scene  
(1) heavy vegetation  
and thorn bushes at  
bottom of gully - obscured  
the area & didn't see

<sup>any</sup> (2) ~~plant in~~ <sup>crosses</sup> grasses  
in pants shay ~~was~~ <sup>at</sup>  
both legs - no dust,  
no tearing of bushes -  
no evidence of struggle  
no evidence picked up



162  
000447

Kevin didn't see it because  
of the foliage and brush  
in front of the tree  
gun - but couldn't  
see it and he never  
seen it - was a  
distance of 4 to 5 ft  
(P Verena to Crime  
Scene]

• EMT - didn't roll  
the body or turn over or  
place a monitor on body -  
• But after EMT  
moved away - body remained  
the same - position of  
blood on the floor  
same / no blood on  
shirt & head in same  
position. - cloth deflated  
after EMT.

EXHIBIT  
tabbles  
108  
3 of 3

164

000448

straight. Gun <sup>on his right</sup> lying under his hand. Fingers not curled around. ~~Barrel~~ Barrel end tucked under right leg. 16.76 semi automatic weapon (was in Army, look at magazines, knows diff. betw automatic & revolver) appeared like 45 automatic. Right side jaw line small caliber ~~bullet~~ hole (in between ear & top of chin). Didn't see any other bullet holes. Observed DCA (Color, fire, ) Didn't touch, nobody touch) 2-4 feet approach.

Didn't look like a suicide - straight lying out, gun bigger than hole, gun under <sup>to</sup> right leg. About 4 1/2 barrel under leg. Nobody there to show us body. Cell made from pay phone outside of <sup>US</sup> Park HQ.

Gonzales coded as suicide, Cory coded as homicide. Best line to find explosion.

Why not reported it directly into bldg. Maybe 1/2 mile north of scene.

Police officers (Park Police) seemed non-chalant. Roping. Stopped 1 officer where couple was. Don't know if couple was ever questioned.

Police took our names. Cream colored car in suit jacket & tie - police looking for id. On scene 30-40 minutes.

- Todd Hall - during  
Gonzales -  
Somebody fr. engine company,

Nothing odd, (don't) recall earth disturbed, clothes



000449

discussed Clean hall. Nothing <sup>else</sup> about 40 odd.

9. Anything could. - just for police. Police followed

10. Did note peculiarities.

No effort to id & question couple.

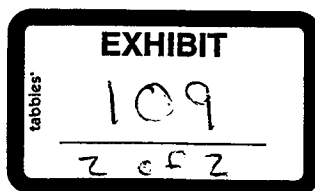
Rick & Todd thought odd - don't feel a.u.u.

People around fire house - no particular discussions

just

Cory, removed body for some, also Roger Harrison (Station 12). But Cory told me head was intact, didn't notice any exit wound. From the size of Jim I saw - would be hard to exit wound.

Didn't see anybody, more the gun. But he left so police were saying off.



**DEPOSITION OF GEORGE O. GONZALEZ, JR.  
IN RE: S. RES. 229**

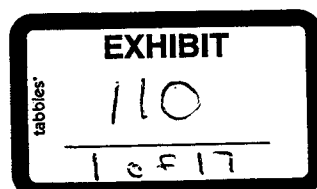
**WEDNESDAY, JULY 20, 1994**

**U.S. SENATE,  
COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS,  
Washington, DC.**

Deposition of **GEORGE O. GONZALEZ, JR.**, called for examination pursuant to notice of deposition, at 2:45 p.m. in the Dirksen Senate Office Building, Room G-59, before **DAVID L. HOFFMAN**, a Notary Public within and for the District of Columbia, when were present:

**GLENN F. IVEY, Esq.**  
Majority Counsel  
**ROMAN E. DARMER, III, Esq.**  
**JULIE FALLON, Esq.**  
**PAUL GOLDENBERG, Esq.**  
Minority Counsel  
Committee on Banking, Housing, and Urban Affairs  
U.S. Senate  
On behalf of the Committee.

**DAVID P. BOBZIEN, Esq.**  
County Attorney  
Fairfax County, Virginia  
12000 Government Center Parkway  
Suite 549  
Fairfax, Virginia 22035-0064  
On behalf of Deponent.



000451

1 A We parked, the best description I can give is  
2 perpendicular to the parking spaces. The spaces run this  
3 way and we parked this way.

4 Q Why did you park there?

5 A That was the only space left or available for us  
6 to park. There was no concern of traffic or any other  
7 concerns.

8 Q Then after you parked, what did you do?

9 A We got out of our units and we decided to split  
10 teams.

11 Q How did you split them?

12 A Our teams were myself and Todd Hall, along with  
13 the Park Police officer. And as soon as we arrived, the  
14 Park Police officer was arriving also, right behind us. And  
15 the other team was Rick Arthur, Jay Iacone, Ralph Bazzani  
16 and Mrs. Wacha, Firefighter Wacha.

17 Q Did you have your emergency kits? How many of  
18 those did you have out there?

19 A The reason why we split up is we took an ALS crew  
20 up the park and then we took an ALS person down the park, so  
21 if the person was viable, we had trained personnel on both  
22 sides of the park and could provide the service.

1 Q ALS stands for?

2 A Advanced Life Support.

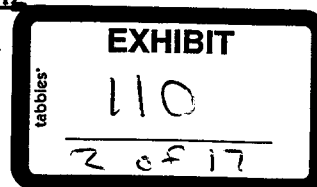
3 Q So you split up, you go in different directions.  
4 What happens next, after you split up and start  
5 searching?

6 A Myself, Todd Hall, and the police officer went up  
7 the park and we searched on both sides of the trail going  
8 up. We look around the area. If you've been to that park,  
9 there's a flat area and there's a brush area. It's an old  
10 fortress, and there's a few cannons around the whole area.  
11 The report was it was at the first cannon, excuse me.

12 The report was that it was at a cannon. The  
13 question was, do you know where the cannons are. Well, no.  
14 so basically we were going on a hunting mission, basically.  
15 We didn't know exactly where, so we just followed the open  
16 path and came across the first cannon.

17 Those two looked, I followed behind them, and  
18 thoroughly to make sure that the body wasn't covered up  
19 because there's a deep embankment right past the cannon.

20 And then, from that point on. I went to the  
21 other part of the park and about the time that I was going  
22 up the hill, Officer Fornshill and Todd Hall had already



1 found the body at the second cannon.

2 And I followed seconds later.

3 Q Did they say anything? How did you know they  
4 found the body?

5 A We found him, he's here. Just acknowledging the  
6 fact that they got a body.

7 Q Did you go over the body?

8 A Yes.

9 Q What did you see when you got to the body?

10 A I saw a dead male. He'd obviously been dead for  
11 some time. His skin color was pale. He had a white shirt  
12 on. His mouth was open. His eyes were slightly open, and  
13 he had flies about his eyes, nose, mouth, and some blood  
14 stains on the shirt, a dark pair of pants and shoes lying on  
15 the ground.

16 Q Did anyone check to see if he was alive or dead,  
17 check the pulse or anything?

18 A He was dead.

19 Q Did anybody check?

20 A Check the pulse? I believe Todd did, but the  
21 signs were definitely stating that the person was dead.

22 Q Let me back up. You've seen how many dead bodies

20

1 would you estimate in your career?

2 (Pause.)

3 A I'd have to say a lot. I can't remember what I  
4 told the FBI exactly, but I would refer back to them for the  
5 numbers.

6 MR. IVEY: I don't know if that question was  
7 asked, but we can mark it and let you look at that.

8 (The document referred to was  
9 marked for identification as  
10 Deposition Exhibit Number 3.)

11 (Handing document to witness.)

12 BY MR. IVEY:

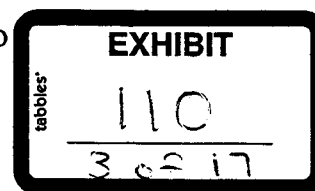
13 Q Take your time.

14 (Pause.)

15 A One of the paragraphs stated here that I've  
16 responded to over 50 emergency calls relating to gunshot  
17 victims. The victims in this case were eventually  
18 classified as suicides. Of that number, over ten suicides  
19 were committed by the victim firing the weapon into the area  
20 of the mouth.

21 That's the number that I gave them.

22 Q Well, that's gunshot, but you've responded to



000453

1 written down here, right after obvious 1061.

2            Would that have come from a transmission that you  
3 made to the dispatcher.

4        A     This is a transmission from our unit and I don't  
5 have enough space to say possible suicide, but those are my  
6 transmission messages read there.

7        Q     So the preliminary thought there was that it was  
8 a suicide?

9        A     Right.

10       Q     And the gun issue. Did you see a gun right away?

11       A     Yes.

12            I mean, right away, I mean, it took me a few  
13 seconds. When I looked down -- when we do our assessment,  
14 on my assessment, I recognized a gun present.

15       Q     How close did you get to the body?

16       A     As close as myself and Bob here sitting right  
17 next to each other.

18       Q     Arm's length? \*

19       A     Less than that, which is --.

20       Q     Where was the gun?

21       A     In his right hand.

22       Q     Did you or Hall or the officer touch the body at

24

1 all?

2       A     I asked Todd. He may have looked at his legs, I  
3 think I asked Todd to take a look at his legs, but I didn't  
4 touch the body. The reason was because the person was dead,  
5 there was a gun present, and we needed to protect the scene  
6 more than anything else.

7       Q     When you say Todd may have checked to see if he  
8 was alive, how would you do that? What would you do to  
9 check to see if he was alive?

10       A     What I'm saying he checked, he may have checked  
11 his lower extremities, the two legs to see what sort of  
12 color or if there was any pooling down there.

13       Q     You mean in the skin?

14       A     Yes, extremities.

15       Q     He was wearing long pants?

16       A     Right.

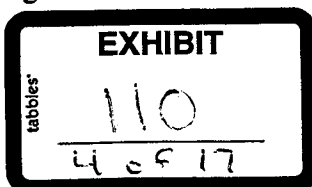
17       Q     Did he pull the pants legs up?

18       A     May have.

19       Q     He didn't check for a pulse?

20       A     There was no need to check for a pulse. It was  
21 very obvious that the person was dead.

22       Q     So checking the legs?

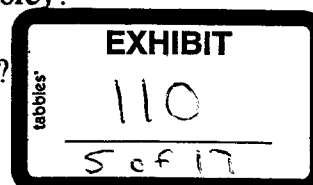


000454



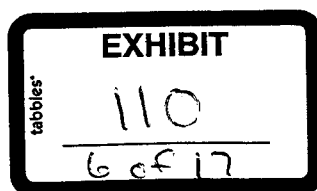
- 1 Q Is this a document that's been marked already?  
 2 A Yes, five, I think.  
 3 Q Exhibit Five? Okay.  
 4 A Page F-8 and the paragraph will read self-  
 5 inflicted or apparent suicide is the title of the paragraph.  
 6 And the method in which the best description  
 7 would be is via firearm or explosive.  
 8 Q Okay.  
 9 So you would have typed that number in?  
 10 A Yes.  
 11 Q This was done right after you got back from the  
 12 station or some time that night?  
 13 A Some time during that night. We were real busy  
 14 so I can't say what time it was done.  
 15 Q Did you leave before the Park Police started  
 16 taking pictures and searching the area and that type of  
 17 thing?  
 18 A Yes, we did. I'm speaking for my crew.  
 19 Q Sure. I mean you personally?  
 20 A Yes.  
 21 Q Did you ever see anybody move the body?  
 22 A No.

- 1 Q Did you ever seen an entrance wound or an exit  
 2 wound?  
 3 A I can only assume there's an entrance wound and  
 4 that was from the mouth, because there was a lot of blood  
 5 within the mouth, you could see that. It was dark and some  
 6 of it had clotted already. I didn't see an exit wound.  
 7 Q Did you ever talk to Rick Arthur about what you  
 8 saw that night?  
 9 A No.  
 10 Q Did he ever talk to you about what he saw?  
 11 A That night?  
 12 Q Well, saw that night. I don't mean talked that  
 13 night.  
 14 A You mean about that incident from the date on?  
 15 Q Any time up to before you came in here?  
 16 A I don't recall any discussion on that topic.  
 17 Q What about with Mr. Hall? Did you ever talk to  
 18 him about the case?  
 19 A No.  
 20 Q Was there someone else named Corey?  
 21 A Ashford.  
 22 Q Did you ever talk with him about?



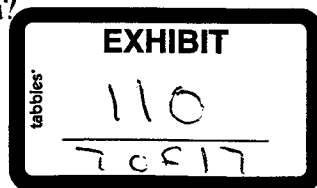
- 1 A Yes.
- 2 Q What conversations did you have with him about  
3 it?
- 4 A What he remembered, what I remembered.
- 5 Q What did he say?
- 6 A I can't remember.
- 7 Q Do you remember what you said to him?
- 8 A I think we were trying to -- I was trying to  
9 recall whether there was a gunshot wound on the side of the  
10 head. I could not remember.  
11 I was just wondering if he had the same  
12 recollection.
- 13 Q So you were trying to remember where the entrance  
14 wound was?
- 15 A Yes, for some reason, I was trying to recall.  
16 Something in my mind said it was on the side of the head.  
17 There could have been a spot of blood or a run of blood. I  
18 couldn't remember at that time. That's why I was asking  
19 him.
- 20 Q And the side of the head?
- 21 A Right side.
- 22 Q Upper part, lower part?

- 1 A Let's see. If you want to break it up in four  
2 areas, say, and looking from the side profile, top right  
3 area.
- 4 Q So near the temple area?
- 5 A Yes, somewhere right in this area.
- 6 Q About how long after July 20th did you have this  
7 conversation with Corey Ashford?
- 8 A Probably around the time. This was after our  
9 meeting with the FBI.
- 10 Q So that would have been?
- 11 A I don't recall the date now. It's probably on  
12 one of the reports here.
- 13 Q We've got too much paper out here.  
14 (Pause.)  
15 That was some time in May, maybe?
- 16 A I'd have to review. I don't know.  
17 (Pause.)  
18 No, I don't have it.
- 19 Q Oh, here it is.  
20 (Handing document to witness.)  
21 BY MR. IVEY:  
22 Q February 28th?



- 1 A Date of transcription. I don't know if that's  
2 the same date of our meeting. Investigation on the 23rd,  
3 2/23.
- 4 Q Did you discuss the meeting with Corey in this  
5 interview, do you recall?
- 6 A Did I discuss, I'm sorry?
- 7 Q Your conversation with Corey Ashford in this  
8 interview with the FBI?
- 9 A No, this was after.
- 10 Q You had the conversation with Ashford after the  
11 FBI meeting, okay.
- 12 A After.
- 13 (Pause.)
- 14 Q You talked to the FBI, they showed you some  
15 polaroid photographs?
- 16 A Yes, they did.
- 17 Q Apparently you recall the gun being in a  
18 different position than what was photographed?
- 19 A That's correct.
- 20 Q What was the position you recall the gun being  
21 in?
- 22 A The body was laid out straight and the hands were

- 1 by his side, and I described to them that the picture in  
2 which they showed me, that his left hand was in the right  
3 position that I saw. Did I say right hand?
- 4 Q You said left hand.
- 5 A Left hand. I meant the left hand was in the  
6 right position, right by his body, and that his right hand  
7 was in the same position as his left hand, right beside his  
8 body with the gun down between the thumb and the first  
9 finger. You could see the barrel, the revolver, I'm sorry.
- 10 Q How did the picture depict it?
- 11 A Hand out like this?
- 12 Q The hand was out?
- 13 A Yes, right hand.
- 14 Q With the palm up?
- 15 A That's what I remember.
- 16 Q I guess, just for the description for this, away  
17 from the body?
- 18 A Yes, away from the body.
- 19 Q But the correct position that you saw was arms  
20 straight down and close to the body?
- 21 A Correct.
- 22 Q The palm was up or down?



1 A Down. Because I could not see the entire gun. I  
2 could only see the revolver of the gun.

3 Q Would you say that it would have been difficult  
4 to see the gun initially?

5 A Yes.

6 Q Let's go to your interviews here with the press.

7 (The document referred to was  
8 marked for identification as  
9 Deposition Exhibit Number 6.)

10 (Handing document to witness.)

11 BY MR. IVEY:

12 Q Let me give you Exhibit Six here. It's a New  
13 York Post article.

14 (Pause.)

15 Do you recall being interviewed by Christopher  
16 Ruddy?

17 A Yes, I do.

18 Q Are the quotes he attributes to you accurate?  
19 Are those what you said to him?

20 A I'd have to review this whole paragraph or the  
21 whole thing.

22 Q Okay, feel free.

1 A Word by word or paragraph by paragraph.

2 (Pause.)

3 If I go down to paragraph, the sixth paragraph,  
4 he said a 38 caliber Colt revolver was in Foster's right  
5 hand, even though experts say the handgun -- the first part  
6 of that, I never quoted a gun nor did I ever quote my  
7 qualifications to identify a gun.

8 Q Do you recall what type of gun it was?

9 A All I could say, like I said to you, it's a  
10 revolver. I don't know the size gun nor type gun, or  
11 anything like that.

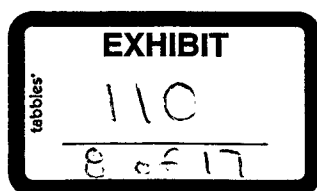
12 Q What about two paragraphs below that. "Gonzalez  
13 said he was surprised to find so little blood at the death  
14 scene of someone who appeared to have placed a 38 in his  
15 mouth and pulled the trigger."

16 A That's true.

17 Q But you didn't say a 38 though, because you  
18 didn't know what type of gun it was?

19 A No. I just said that there was very little blood  
20 for an accident such as this that occurred, such as this to  
21 occur.

22 Q That would be?



1 A A gunshot to the mouth. I said there wasn't a  
2 lot of blood.

3 Q So two paragraphs after that, you say, usually a  
4 suicide by a gunshot is a mess.

5 A The majority of the time, it is.

6 Q You said it usually there.

7 Does that mean that you've been to scenes which  
8 are gunshot suicide scenes which were not a mess, to use  
9 your words?

10 A Repeat your --

11 Q Let me phrase it this way.

12 Why did you say usually there?

13 A Mainly because there's no one particular, I guess  
14 every suicide's not the same. I mean, you can have  
15 different weapons used, different distances used, different  
16 angles used.

17 MR. BOBZIEN: Let me talk to my client for a  
18 second.

19 (Discussion off the record.)

20 BY MR. IVEY:

21 Q You're saying what? Your statements are based on  
22 your personal experience?

1 A Right.

2 Q Have you personally been to suicide scenes or  
3 suicide by gunshot scenes where they weren't, as you say, a  
4 mess?

5 A Here's what, I guess I'm trying to define what I  
6 was trying to say back at that time, and I'm trying to  
7 remember exactly what I was trying to bring across.

8 Q Okay.

9 (Pause.)

10 A When I say usually, I guess it's most frequently  
11 come across as far as suicides with gunshots to the head  
12 that it seemed more of a mess than this case here.

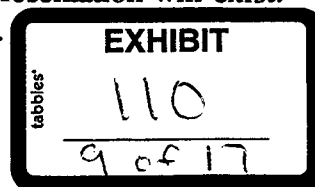
13 Q I follow you there. But you said usually and  
14 more frequently, and that sort of language. I guess I'm  
15 trying to figure out -- I'm not trying to put words in your  
16 mouth.

17 A Your question was? If you can ask me the  
18 question again? Are you saying usually --

19 Q Why did you use the word "usually" there?

20 A Usually, I guess defining that I can remember  
21 usually most of the time, a messy presentation will exist.

22 Q Let me ask you this, then.



1 If every time you'd gone to a suicide scene with  
2 a gunshot, it had been a mess, would you have said always,  
3 or every time I've had a gunshot wound suicide to the mouth,  
4 it's been a mess?

5 A Please repeat your question.

6 Q If your experience had been that every time you'd  
7 gone to a scene like this, it had always been a mess, would  
8 you have said that to him? Would you have said, every time  
9 I've been to a scene like that, it's been a mess?

10 (Pause.)

11 A Let me describe a few situations that you'll  
12 maybe better understand the word "usually."

13 Sometimes the head is either gone, decapitated,  
14 okay, from say the mouth all the way up.

15 Sometimes you have the whole frontal part of your  
16 face but with the back portion, the occipital region gone.

17 Sometimes it's the side of the face if it's an  
18 angle or approach the gunshot from the side, this side of  
19 the face is usually gone.

20 I guess when I say usually, I'm thinking of  
21 numbers and the majority of the numbers, to describe your  
22 question, as far as usually.

1 Q I guess I'm trying to figure out the other side.

2 You said the majority of the cases. What about  
3 the minority of the cases?

4 Tell me about some of those.

5 (Pause.)

6 A You're going to have to ask me to go back in the  
7 files. It's been a long time.

8 Q No, I don't want you to go back in the files.

9 When you were talking to Christopher Ruddy, what  
10 were you thinking when you said usually, as opposed to  
11 always or every time or something like that?

12 A That not all cases are the same. Not all cases  
13 are you going to have, you know, I guess a lot of blood a  
14 hundred percent of the time. Gunshot wounds will dictate, I  
15 guess, a mess, you know. But the majority of the time I  
16 guess it did. It has, that I've confronted.

17 Q Did you see this article before you talked with  
18 Corey Ashford?

19 A I saw this article after it came out.

20 Q Do you remember if you spoke with Corey before or  
21 after you saw the article?

22 A I spoke to him after, just in discussion, because



000460

1 Q And you don't remember whether you got an  
2 acknowledgment?

3 A I don't remember. You'll have to listen to the  
4 tapes to see.

5 Q Do you recall whether you got any other kind of  
6 messages or transmissions to you when you were at the scene?

7 A No. En route, I think we did; not at the scene.

8 Q What kind of messages would you get en route?  
9 Would it have anything to do with this particular case you  
10 were headed for?

11 A Yes, it would be specific to this incident.  
12 Whether it would be a person to meet me or something like  
13 that. I'm giving you an example, not the specific case.

14 But you'd have to review the tapes because I  
15 don't remember. I remember some discussion, some  
16 communication going on.

17 Q Did you say that you estimated time of death at  
18 the scene?

19 A Yes.

20 Q What was that?

21 A I remember the report states I think two to four  
22 hours.

1 Q How do you arrive at that kind of estimate?

2 A OJT, meaning on the job training specifically  
3 dealing with dead bodies and seeing time lapse photography,  
4 police talking to the investigators throughout the years,  
5 and just a feel for the time that the body's transposed, as  
6 the body decays.

7 Q Can you be a little bit more specific about what  
8 the actual tests are or the indicators are that you've  
9 learned over the years about how you might make that  
10 determination?

11 A Indicators such as postmortem lividity, rigor  
12 mortis.

13 Q Can you determine rigor mortis without touching  
14 the body?

15 A No.

16 Q So you basically, did you make your estimated  
17 time of death based on the lividity primarily?

18 A Right.

19 Q Any other factors?

20 A Right, the appearance, my assessment as well, not  
21 just the lividity.

22 Q Was Officer Fornshill the only Park Police

EXHIBIT

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11 of 17

000461

1 officer with you when you first discovered the body?

2 A Yes.

3 Q How long were just you, the three of you there?

4 A Time wise? You lose track of time during those  
5 incidents. I can only guess.

6 Q Sure, your estimate.

7 A Maybe five to ten minutes maybe, when the next  
8 officer came up.

9 Q Do you remember the name of that officer?

10 A I could picture his face, a younger, Park Police  
11 officer, dark hair. That's all I can think of.

12 Q Do you remember what you talked about with  
13 Officer Fornshill during that however long you were there,  
14 just the three of you?

15 A Just our findings, you know, we found a dead body  
16 and you see a gun, possible suicide, that's about it.

17 Q Do you remember who the first person was that  
18 said the word suicide?

19 A No, I don't.

20 Q Do you remember whether you talked about other  
21 possible causes of death?

22 A No.

1 Q Were you all in general agreement that it was a  
2 suicide?

3 A You have to understand when you say it's  
4 possible, it's almost like filling a void in our report,  
5 filling in a category in our department to describe the  
6 incident. It does not mean it's concretely; it just means  
7 it's a possible situation that may occur to our best  
8 knowledge. We can describe the situation in this category.

9 Q What might be some things that would cause that  
10 preliminary determination to change?

11 A I guess finding a scene that's unfamiliar or  
12 different than what you're accustomed to finding. It does  
13 not usually fit a normal call, not a normal call, but back  
14 to this word "usual" call, a suicide or something.

15 Q Actually, I've got some other articles here we  
16 can talk about but, one, you've been quoted as saying that  
17 you noticed some peculiar aspects to the scene. Did  
18 anything strike you as peculiar or unusual about the scene?

19 A The fact that he was straight, laid out straight,  
20 yes. That's peculiar.

21 Q Have you ever seen a body in that position as a  
22 suicide?





1 A No.

2 Q Have you ever seen a body in that situation in  
3 any gunshot death situation?

4 A No.

5 When you say suicide, back up; by what?

6 Q Suicide in any situation where you've responded  
7 that has been a suicide by whatever means?

8 A Not in the same fashion, maybe close to the same  
9 fashion, but not tucked, well, not tucked but --

10 Q Just so the record is clear, can you describe  
11 exactly what gesture you're making? I guess you're  
12 describing how you saw that?

13 A Yes. I'm trying to describe the appearance of  
14 the body when it was lying on the ground, and I say tucked.  
15 The hands weren't underneath the legs or the pelvis area,  
16 but they were beside, excuse me, the arms were beside and  
17 the hand was beside the legs, right against the legs.

18 Q Palms up or palms down?

19 A Palms down, because I could not see the complete  
20 gun. I could only see the revolver.

21 Q When you saw the body, did the hand appear to be  
22 clenched or did it appear to be open?

1 A The only part I saw was this right here, I saw  
2 right through this point between the thumb and the first  
3 finger; that's the area that I saw. That's where the  
4 revolver was.

5 Q Was any part of the gun underneath the body or  
6 obscured by the legs?

7 A Maybe by the hand, covered by the hand.

8 Q Do you remember being shown photographs by the  
9 FBI?

10 A Yes.

11 Q Do you remember what the position of the hands  
12 were in those photographs?

13 A Yes.

14 Q What were they?

15 A The hand position was left, the hand was straight  
16 beside the body on the left.

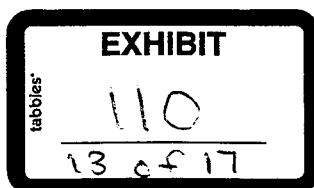
17 Q Palm up or palm down?

18 A Palm down.

19 Just like this being right here, just like this  
20 and the palm up on the right hand out from the body.

21 Q With the gun?

22 A I don't think there was a gun.



1 Q So you don't recall the particular distances  
2 involved?

3 A There is a hill, there's a mound, a hill.

4 Q Can you tell me what kind of angle the hill was  
5 on?

6 A Descent, descending. His body was on a descent.

7 Q Was it a steep hill?

8 A In parts, it does become steep. This is only  
9 after seeing it with the FBI going back through there. The  
10 shrubbery had been knocked down, cleared earlier.

11 Q When you saw it with the FBI?

12 A Yes. With the FBI, the whole place was cleared  
13 out.

14 Q I want to try to get at what you saw last year at  
15 this time.

16 A I saw the body on a slight decline and that's the  
17 best I can describe. It was at the top or slightly past the  
18 top. I don't know.

19 Q Was it fair to say it was pretty close to the  
20 top?

21 A Yes.

22 Q Do you recall any kind of debris or trash around

1 the area where the body was, the immediate area?

2 A Just leaves.

3 Q Did you see any bottles of any kind?

4 A No, I did not recall any.

5 Q Did you notice any black matter or gunpowder on  
6 the body?

7 A I didn't.

8 Q Can you describe any blood you saw on the body?

9 A Yes. There was some about the face. There was  
10 blood on the right side of the body, the shirt area.

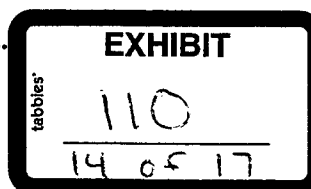
11 Q Can you be a little more specific, where on the  
12 face or how much?

13 A There wasn't that much on the face. There was  
14 some like I would say either a stream of blood, primarily  
15 blood around the lip and inside the mouth was the contained  
16 area of blood.

17 And just on the right shoulder, it looked like  
18 the blood was under the shirt because it had stained through  
19 the white shirt.

20 Q Could you tell if the blood had pooled under the  
21 shirt?

22 A It was hard to say. It was just stained.



000464

1 Q Did you see any wet blood on the shirt?  
 2 A I just saw a stain, a blood stain.  
 3 Q Can you estimate about how big it was on the  
 4 shirt?

5 A It can be deceiving. It was just in this area  
 6 right in here, right about in this area of the clavicle  
 7 area.

8 Q You're indicating, did it go over to the actual  
 9 arm area?

10 A At first, I think -- I don't know if you have had  
 11 a chance to see the pictures. Have you?

12 I think the pictures describe it being a large  
 13 area over here of blood saturation of the shirt area.

14 Q Was the blood in that phase dry or what?

15 A Dry.

16 Q Did anyone ever tell you who took those pictures  
 17 when you saw them with the FBI?

18 A No. I asked those questions, but they didn't  
 19 say.

20 Q Did you see anyone taking pictures when you were  
 21 at the scene?

22 A No.

1 Q How good were the quality of the pictures that  
 2 you were shown?

3 A They were polaroids.

4 Q Dark, light?

5 A You can tell what the surroundings are. You can  
 6 tell the body. You didn't have any problem describing the  
 7 color shirt or pants.

8 Q So they were fairly clear?

9 A Yes. You were able to make judgments, I think.

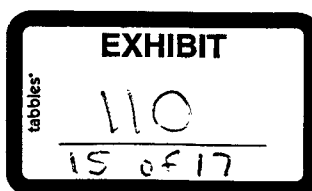
10 Q Did you feel you had to sort of study them to  
 11 figure out what they were?

12 A Sure. The area, I think by that time, by the  
 13 time they got the pictures, it was dark, sunset, so the  
 14 surrounding area was a little dark, but other than that, we  
 15 were able to tell a little bit.

16 Q Do you remember about how many photographs you  
 17 were shown?

18 A There's two different sets. One was the scene,  
 19 one was the autopsy, the first site of the scene, I think  
 20 maybe three or four.

21 Q But you don't recall being shown any 35  
 22 millimeter prints of anything?



1 All I had was a visual from the outside windows  
2 looking in.

3 Q Do you recall what you saw in the car besides the  
4 suit jacket?

5 A I can't say if I saw a briefcase or papers. I  
6 can't correctly say whether I saw it or not.

7 Q You don't remember talking about what was in the  
8 car with anyone?

9 A No.

10 I think the tie was in there and the jacket was  
11 in there. That's what I remember. That's all I can really  
12 remember.

13 Q Was there any speculation in the parking lot  
14 about what the Arkansas tags might mean, or whether that  
15 might imply someone who worked in government?

16 A Yes. I mean, you know, one of those just aloof  
17 comments, you know, because of the fact that the President  
18 is from Arkansas. This happens to be an Arkansas plate,  
19 jokingly.

20 Q So some people at the scene might have been  
21 making some assumptions about the car?

22 A Yes.

1 Q Do you recall whether you told the FBI what you  
2 recalled seeing in the car?

3 A You'll have to repeat that.

4 Q In your FBI interview, you'll recall that there  
5 was a necktie, a suit coat, and a paper attache case in the  
6 car.

7 Do you remember that?

8 A I'll have to go with that statement because, as  
9 time goes on, I remember less and less.

10 Q But at the time you made the statement, that's  
11 what you remembered?

12 A Yes, I did.

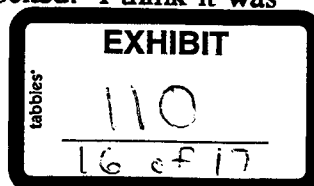
13 Q Do you remember discussing the fact that there  
14 might have been a bag in the car with anyone? Did you  
15 mention it to anyone?

16 A No.

17 Q No one tried to get you to try to open the car or  
18 go into the car?

19 A I think someone tried to open the car. I don't  
20 know whether it was unlocked or locked. I think it was  
21 locked.

22 Q It was locked?



1 MR. IVEY: Did we mark this?

2 MR. DARMER: Let's go ahead and mark it.

3 (The document referred to was  
4 marked for identification as  
5 Deposition Exhibit Number 16.)

6 BY MR. DARMER:

7 Q In the Ruddy article in the Post of January 27, I  
8 think it's the carryover the second page, there's a  
9 paragraph that says Gonzalez and a law enforcement official  
10 described the gun as clean. It's about the third paragraph  
11 from the bottom in the second column.

12 A I don't know what he's --

13 Q Do you recall making that statement or discussing  
14 the gun with him that way?

15 A No.

16 The gun is clean? I don't know. I don't  
17 understand in what context he's trying to describe. As far  
18 as the actual cleanliness of the gun, I didn't see any. I  
19 couldn't even make that judgment.

20 Q Do you recall discussing the gun in any way with  
21 Mr. Ruddy?

22 A Just as I described to you earlier. I found the

106

1 gun and the only part of the gun that I could see was the  
2 revolver and that was between his thumb and his first  
3 finger.

4 Q Did you study the gun for any other kind?

5 A No, I just looked at the gun at a glance as my  
6 visual approach assessment, standing on the right side of  
7 the body looking at the head, and on down.

8 Q So you don't know if there was any blood or  
9 blowback or tissue on the gun?

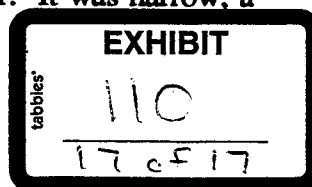
10 A No.

11 Q When you were doing an assessment of the area,  
12 did you notice any disturbance in the ground of the soil?  
13 Did the soil appear to be --

14 A I didn't notice anything, nor did I suspect. The  
15 only thing that I mentioned earlier was the trail leading  
16 down to the bottom of the hill. Whether it was a trail that  
17 was existing from the Fort, or whether it was a new one, I'm  
18 not sure.

19 Q When you say a trail, do you mean, you mean the  
20 dirt trail?

21 A It was more ground cover. It was narrow, a  
22 footpath.



000467

Part of the whole animal being 2000 actual

Well - (other office) of a State in Ind.  
first. (something)

4. Body: over - hill /  
feet lower hind  
neck or top.  
mouth open; looks of side truly by.

from <sup>upper</sup> ~~upper~~ <sup>part</sup> ~~part~~ <sup>of</sup> ~~of~~ <sup>the</sup> ~~the <sup>head</sup> ~~head~~  
word: gun in hand.~~

on round injection: noticed body of  
blood within body of injection  
detained State unavail.

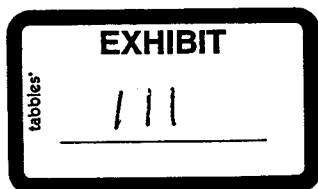
needle seen hole in upper right part  
portion of head.

Dogster did not touch portion.

round injection of mouth / or fleshly injection  
and in mouth

Told my my have touched body of  
the this point, at all.

Can not see an "extra" hole



2121

CRIMINAL INCIDENT RECORD

JUVENILE CASE :

|                              |                                            |                        |              |                                   |
|------------------------------|--------------------------------------------|------------------------|--------------|-----------------------------------|
| 1 ORGANIZATION CODE<br>31960 | 2 SYSTEM AREA<br>United States Park Police | 4 LOCATION CODE<br>214 | 5 YEAR<br>21 | 6 CASE INCIDENT NUMBER<br>0305102 |
|------------------------------|--------------------------------------------|------------------------|--------------|-----------------------------------|

|                                                                  |               |                                |                          |                        |                                   |
|------------------------------------------------------------------|---------------|--------------------------------|--------------------------|------------------------|-----------------------------------|
| 8 LOCATION OF INCIDENT<br>Ft. Marcy (grass area N/O parking lot) | 7 SEAT<br>211 | 9 WHEN DID IT OCCUR?<br>072093 | 10 MO DAY YR<br>07 21 93 | 11 FOUR TIME<br>151041 | 12 PRE I VIL TO DAY OF WEEK<br>13 |
|------------------------------------------------------------------|---------------|--------------------------------|--------------------------|------------------------|-----------------------------------|

|                       |                                              |                                  |                 |
|-----------------------|----------------------------------------------|----------------------------------|-----------------|
| 14 OFFENSE INCEN CODE | 15 NATURE OF INCIDENT<br>Death Investigation | 13 WHEN RECEIVED DATE<br>7/20/93 | 14 TIME<br>1804 |
|-----------------------|----------------------------------------------|----------------------------------|-----------------|

|                           |                               |                    |                                 |                                    |
|---------------------------|-------------------------------|--------------------|---------------------------------|------------------------------------|
| 16 LAST<br>Ofc. F. Ferstl | 17 FIRST<br>M                 | 18 MIDDLE<br>C     | 19 DATE OF BIRTH<br>Y           | 20 PHONE BUSINESS<br>(301)492-6250 |
|                           | 21 ADDRESS NUMBER<br>USPP D-2 | 22 STREET          | 23 CITY                         | 24 STATE                           |
|                           | 25 ZIP                        | 26 PHONE RESIDENCE | 27 DATE OF BIRTH<br>C<br>V<br>W | 28 PHONE BUSINESS                  |

|                    |                   |                    |                                 |                   |
|--------------------|-------------------|--------------------|---------------------------------|-------------------|
| 24 LAST<br>Unknown | 25 FIRST<br>M     | 26 MIDDLE<br>C     | 27 DATE OF BIRTH<br>Y           | 28 PHONE BUSINESS |
|                    | 29 ADDRESS NUMBER | 30 STREET          | 31 CITY                         | 32 STATE          |
|                    | 33 ZIP            | 34 PHONE RESIDENCE | 35 DATE OF BIRTH<br>C<br>V<br>W | 36 PHONE BUSINESS |

|         |        |        |        |        |         |         |                |               |                |                |               |
|---------|--------|--------|--------|--------|---------|---------|----------------|---------------|----------------|----------------|---------------|
| 37 RACE | 38 SEX | 39 AGE | 40 HGT | 41 WGT | 42 EYES | 43 HAIR | 44 HAIR LENGTH | 45 HAIR STYLE | 46 FACIAL HAIR | 47 MARKS/SCARS | 48 ARMED WITH |
|---------|--------|--------|--------|--------|---------|---------|----------------|---------------|----------------|----------------|---------------|

|        |                |          |                    |          |                           |           |
|--------|----------------|----------|--------------------|----------|---------------------------|-----------|
| 49 MAY | 50 COAT/JACKET | 51 SHIRT | 52 TROUSERS/SLACKS | 53 SHOES | 54 SOCIAL SECURITY NUMBER | 55 FINGER |
|--------|----------------|----------|--------------------|----------|---------------------------|-----------|

|                   |           |           |                                 |                   |
|-------------------|-----------|-----------|---------------------------------|-------------------|
| 46 LAST           | 47 FIRST  | 48 MIDDLE | 49 DATE OF BIRTH<br>A<br>S<br>O | 50 PHONE BUSINESS |
| 51 ADDRESS NUMBER | 52 STREET | 53 CITY   | 54 STATE                        | 55 ZIP            |

|         |        |        |        |        |         |         |                |               |                |                |               |
|---------|--------|--------|--------|--------|---------|---------|----------------|---------------|----------------|----------------|---------------|
| 56 RACE | 57 SEX | 58 AGE | 59 HGT | 60 WGT | 61 EYES | 62 HAIR | 63 HAIR LENGTH | 64 HAIR STYLE | 65 FACIAL HAIR | 66 MARKS/SCARS | 67 ARMED WITH |
|---------|--------|--------|--------|--------|---------|---------|----------------|---------------|----------------|----------------|---------------|

|        |                |          |                    |          |                           |           |
|--------|----------------|----------|--------------------|----------|---------------------------|-----------|
| 68 MAY | 69 COAT/JACKET | 70 SHIRT | 71 TROUSERS/SLACKS | 72 SHOES | 73 SOCIAL SECURITY NUMBER | 74 FINGER |
|--------|----------------|----------|--------------------|----------|---------------------------|-----------|

|                                        |         |         |          |                      |                        |                   |                      |                               |
|----------------------------------------|---------|---------|----------|----------------------|------------------------|-------------------|----------------------|-------------------------------|
| 75 VEHICLE INVOLVED IN CRIME<br>Nissan | 76 YEAR | 77 MAKE | 78 MODEL | 79 BODY STYLE<br>4dr | 80 COLOR<br>gray/brown | 81 VIN<br>RCN-504 | 82 STATE<br>Arkansas | 83 IDENTIFYING PLATE/REG. VIN |
|----------------------------------------|---------|---------|----------|----------------------|------------------------|-------------------|----------------------|-------------------------------|

|              |           |              |            |                      |                         |                 |                  |                    |
|--------------|-----------|--------------|------------|----------------------|-------------------------|-----------------|------------------|--------------------|
| 84 UNDAUNTED | 85 COPIES | 86 RECOVERED | 87 DAMAGED | 88 REMOVED TO<br>CIB | 89 REMOVED BY<br>Raleys | 90 NCC TELETYPE | 91 RADIO LOOKOUT | 92 VALUE RECOVERED |
|--------------|-----------|--------------|------------|----------------------|-------------------------|-----------------|------------------|--------------------|

88 NARRATIVE: (1) CONTINUATION OF ABOVE ITEMS. INDICATE ITEM NUMBER AT LEFT. INCLUDE ADDITIONAL WITNESSES AND SUSPECTS. (2) INDICATE HOW NOT FILED OF INCIDENT. DESCRIBE DETAILS OF INCIDENT. (3) DESCRIBE PROPERTY AND ITS VALUE.

On 7/20/93 at approximately 1804 hrs, I was dispatched to Ft. Marcy for a reported dead body that was seen in the vicinity of the second cannon which is located N/O the parking lot. Car 261 Ofc. Kevin Formshill was the first unit to arrive on the scene. Fairfax Co. Medic 1 and Engine 1 arrived on the scene and assisted Ofc. Formshill in trying to locate the body. Shortly after, Ofc. Formshill advised that he located the body just north of the second cannon approximately 200 yards N/O the parking lot. Ofc. Formshill advised that a medic checked the subjects neck for a pulse and that the body had not been moved.

When I arrived on the scene, I observed three vehicles parked in the area. A blue 2002 Mercedes 4dr with Va. registration [redacted] was abandoned with its hazard lights flashing at the entrance to Ft. Marcy. A white Nissan 4dr with Md. registration [redacted] was backed in to the [redacted] parking space from the rear of the parking lot. A gray/brown Nissan 4dr with Arkansas registration RCN 504 was parked in the [redacted] space from the [redacted] [redacted] of the parking lot.

|                 |               |                      |              |               |                |
|-----------------|---------------|----------------------|--------------|---------------|----------------|
| 93 STATUS: OPEN | 94 UNPUNISHED | 95 CLOSED BY: ARREST | 96 EXCEPTION | 97 UNPUNISHED | 98 DISPOSITION |
|-----------------|---------------|----------------------|--------------|---------------|----------------|

|                                   |           |                     |                               |                    |                     |
|-----------------------------------|-----------|---------------------|-------------------------------|--------------------|---------------------|
| 99 REPORTING OFFICER<br>F. Ferstl | 100 MOVED | 101 DATE<br>7/20/93 | 102 SUPERVISOR<br>[Signature] | 103 BADGE #<br>845 | 104 CITY<br>7/20/93 |
|-----------------------------------|-----------|---------------------|-------------------------------|--------------------|---------------------|

EXHIBIT  
112  
1092

000469

United States Park Police

Death Investigation

After securing the crime scene, I returned to the parking lot. Ofc. Spetz was speaking with a white male and a white female who had been in the area south of the parking lot. The two subjects stated that the white Nissan belonged to them. Det. Brown arrived on the scene and spoke to the two subjects.

At approximately 2045 hrs, CIB and ID completed their on scene investigation and Fairfax Co. Rescue transported the body to Fairfax Hospital. It was determined that the gray/brown Nissan with Arkansas registration belonged to the dead subject. The identity of the dead subject can be obtained from CIB. At approximately 2125 hrs, Raleys transported the vehicle to CIB to be held for further investigation. Time cleared 2130 hrs.

SEARCHED INDEXED SERIALIZED FILED INVESTIGATOR NOTIFIED

REPORTING OFFICER: OFc. F. Ferrer

Signature of reporting officer

EXHIBIT 112 2 of 2



2123

NATIONAL PARK SERVICE

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

JUVENILE CASE 0

|                                           |                           |                              |           |            |                                  |   |    |
|-------------------------------------------|---------------------------|------------------------------|-----------|------------|----------------------------------|---|----|
| SYSTEM AREA<br>United States Park Police  | INCIDENT DATE<br>07 20 93 | MO<br>07                     | DAY<br>20 | YEAR<br>93 | CASE INCIDENT NUMBER<br>93-03105 | 0 | 21 |
| NATURE OF INCIDENT<br>Death Investigation |                           | RECLASSIFICATION OF INCIDENT |           |            |                                  |   |    |

|      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ITEM | RESULTS OF INVESTIGATION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|      | <p><b>NOTIFICATION:</b></p> <p>On 07/20/93 at approximately 1815 hours while monitoring channel 2. I heard scooter 261, Off. K. Fornshill, request C.I.B. to respond to Ft. Marcy for a dead body. I advised communications that myself, Inv. Braun and Inv. [Abt] would be responding. At approximately 1835 hours we arrived at Ft. Marcy.</p> <p><b>PRELIMINARY INVESTIGATION:</b></p> <p>Upon arrival we met with Lt. Gavin, Off. [Ferstle], car 211, Off. Spetz, car 213, and Sgt. Edwards, car 202. After speaking with the officers on the scene, it was determined that we had a white male with an apparent self-inflicted gunshot wound to the head. Off. [Ferstle] advised that the subject still had the gun in his hand. Off. [Ferstle] advised that Off. Fornshill was the first unit on the scene with Fairfax Fire and Rescue. Fairfax Fire felt for a pulse in the carotid artery and got none. The body was not moved.</p> <p>Parked in the fourth spot from the entrance, I observed a 1989 grey Honda Accord, 4 door, with Arkansas license plates [RCN-504], expiration 10/93. The registration returned to FOSTER, Jr., Vincent, at 5414 Stonewall Rd., Little Rock, Arkansas 72207. Off. [Ferstle] stated that he believed that this vehicle may belong to the decedent. Off. [Ferstle] stated that the suit coat on the front seat appeared to match the pants of the decedent. I observed that the vehicle was unlocked and that there was a dark blue suit jacket with blue pin stripes and a blue tie on the front passenger seat.</p> <p><b>SCENE:</b></p> <p>The decedent was located north of the parking lot, approximately one quarter mile at the second cannon. I observed the decedent to be a white male, approximately 45 to 50 years of age with dark hair, graying, and slightly receding. The decedent was laying face up on an embankment in front of the second cannon. The decedent's head was facing east and his feet facing west. I observed blood in his nose and mouth area, on his right shoulder area and underneath his head. The blood on the ground and on his shirt appeared to still be wet. There was no blood spatter on the plants or trees surrounding the decedent's head. I observed a dark colored revolver in his right hand. The decedent's right thumb was still in the trigger guard. After lifting both arms of the decedent, I observed lividity but no rigor mortis.</p> |

|                                                                         |                                                                                         |                       |                   |
|-------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|-----------------------|-------------------|
| WARRANTY<br><input type="checkbox"/> YES<br><input type="checkbox"/> NO | ISSUES NOTIFIED<br><input type="checkbox"/> SUSPENDED<br><input type="checkbox"/> MOTOS | INVESTIGATOR NOTIFIED | PAGE 1 OF 2 PAGES |
| STATUS<br>REPORTING OFFICER                                             | ADVISOR                                                                                 | DATE                  | DATE              |

2124

NATIONAL PARK SERVICE  
SUPPLEMENTAL CRIMINAL INCIDENT RECORD

JUVENILE CASE

|                                           |                |                              |     |     |      |                      |   |   |   |   |   |
|-------------------------------------------|----------------|------------------------------|-----|-----|------|----------------------|---|---|---|---|---|
| AGENCY<br>United States Park Police       | Month of Occur | MO.                          | DAY | YR. | YEAR | CASE/INCIDENT NUMBER |   |   |   |   |   |
|                                           | 0              | 7                            | 2   | 0   | 9    | 3                    | 0 | 3 | 0 | 5 | 0 |
| NATURE OF INCIDENT<br>Death Investigation |                | RECLASSIFICATION OF INCIDENT |     |     |      |                      |   |   |   |   |   |

Addendum 08/05/93

The decedent was dressed in a white long sleeve button down dress shirt, white undershirt, dark blue dress pants with blue pin stripes, black dress shoes, black socks and a black belt. The decedent was wearing a Seiko watch with a gold colored face and brown leather band on his left wrist; a silver colored metal ring with a white stone on his right ring finger; a gold colored metal ring, band type, on his left ring finger. The inscription        was on the inside of the ring. The decedent also had a Motorola Bravo style pager on his right side waist area. The letters WHCA were inscribed on the side. The pager was turned off. A pair of brownish colored plastic framed glasses were found approximately thirteen feet west of the decedent.

At approximately 1940 hours, Fairfax Co. Coroner Donald Haut arrived on the scene and examined the decedent. I rolled the decedent over and observed a large blood stain three quarters down the back of the decedent's shirt. I observed trauma to the center portion of the back of the decedent's head. The skull appeared to be fractured from the inside out. McLean VFD M1 and Fairfax Co. engine 1 responded to the scene to transport the decedent to Fairfax Hospital.

After further investigation of the Grey Honda Accord, a brown leather wallet with an Arkansas driver's permit to Vincent Foster, Jr. was located in the suit jacket inside pocket. This and other photo identifications for Vincent Foster were inside of the wallet. The photos on the identifications appeared to be of the decedent. A White House identification badge with photo to Vincent Foster was located on the front passenger seat under the suit jacket. Cleared the scene at approximately 2045 hours.

NOTIFICATION:

At approximately 2200 hours, Inv. Braun and myself responded to the residence of Vincent Foster, at 3027 Cambridge Pl., NW, D.C. to make notification to his family. Inv. Braun and myself brought W. David Watkins, an associate and personal friend of Mr. Foster's with us to make notification to Mr. Foster's wife Elizabeth Foster. Also present during notification was Mr. Foster's daughter, Laura. During notification, Mr. Foster's two sisters arrived with other members of the White House Staff. Mrs. Foster nor other relatives or friends were able to provide any insight as to why Vincent Foster would take his life. Cleared at 2310 hours.

Investigation continues.

EXHIBIT  
113  
2 of 2

|                   |      |                    |            |         |      |
|-------------------|------|--------------------|------------|---------|------|
| REPORTING OFFICER | DATE | INVESTIGATOR       | SUPERVISOR | SAGGEND | DATE |
|                   |      | <i>[Signature]</i> |            |         |      |

000472

**DEPOSITION OF JOHN C. ROLLA  
IN RE: S. RES. 120**

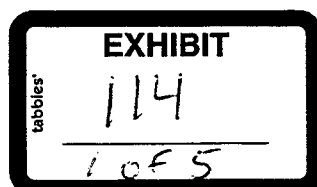
**TUESDAY, JUNE 20, 1995**

**U.S. SENATE,  
COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS,  
SPECIAL COMMITTEE TO INVESTIGATE WHITEWATER  
DEVELOPMENT CORPORATION AND RELATED MATTERS,  
Washington, DC.**

Deposition of JOHN C. ROLLA, called for examination pursuant to notice of deposition, at 2:02 p.m. in Room 640-A of the Hart Senate Office Building, before PATRICIA A. ZUBER, a Notary Public within and for the District of Columbia, when were present:

**ROBERT J. GIUFFRA, JR., Esq.  
Majority Chief Counsel  
GLENN F. IVEY, Esq.  
Minority Counsel  
U.S. Senate  
Committee on Banking, Housing, and Urban Affairs  
534 Dirksen Building  
Washington, DC 20510  
On behalf of the Committee.**

**ALSO PRESENT: ANIL ABRAHAM**



(161)

000473

1 Q Do you recall if anybody from the White  
2 House called you back?

3 A Not Secret Service. I got called from --  
4 en route to the -- en route to make the notification  
5 from the hospital I got a call on the car phone from  
6 Lieutenant Gavin, who said he had a call from --

7 Q Watkins? Bill Burton?

8 A Well, there's a -- David Watkins was a  
9 personal friend. I forget. There was a couple  
10 calls. He must have been the first one because then  
11 we rerouted en route to the Watkins house. A  
12 personal friend, wife had been personal friends of  
13 him, and it's a good idea to pick up a close friend  
14 to make the notification with. So okay, we'll go to  
15 his house and pick him up. And I don't know the  
16 order of the phone calls. Then there was another  
17 phone call. Bill Kennedy and Craig Livingstone  
18 called these guys, they wanted to know where the body  
19 was and if they could go see the body.

20 Q To confirm that it was Foster?

21 A Right. And at that point --

22 Q Let me ask a question, did they know it was

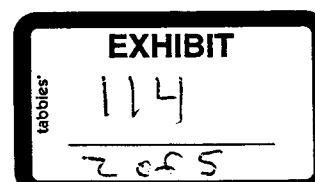
1 Foster at that point when they called you?

2 A Oh, yeah, Secret Service eventually let  
3 them know. I still -- I had no idea who Vincent  
4 Foster was.

5 Q Because then you were told to go to his  
6 house, so you had to have been --

7 A A lot of people work at the White House,  
8 and when Clinton came to D.C. a lot of people came  
9 from Arkansas. So what his job was, you know, I'm  
10 not politically suave, I don't know. I didn't know  
11 who he was, but standard procedure, notify Secret  
12 Service, they made their notification and then it  
13 wasn't uncommon to have White House people calling  
14 and saying okay, they want to see the body.

15 As far as we were concerned, fine, if they  
16 could go to look at the body and identify who the guy  
17 was, positively say, yeah, that is Vincent Foster  
18 even though we had photographic -- we had photo ID  
19 and we were positive it was him, fine, we saw no  
20 problem with them going to look at the body. You  
21 know, I called -- I believe I called them and told  
22 them -- I think I talked to Kennedy and told him, you



000474

1 the bullets that were in the gun, a box of bullets.  
 2 But getting the response that we got from Mrs. Foster  
 3 about the gun and about certain other things,  
 4 depression, we just felt they weren't cooperating  
 5 fully and this wasn't a good time. It was a very  
 6 sensitive time.

7 Q Did you feel a search warrant would have  
 8 been appropriate for the house or the office?

9 A Definitely not for the house. For the  
 10 office, like I said, everything to this point was  
 11 leaning towards a suicide. Still keeping an open  
 12 mind looking for other things, leaning towards a  
 13 suicide. If it was a homicide we wouldn't even have  
 14 the jurisdiction. It wouldn't be a question. We'd  
 15 turn it over to FBI.

16 Q Well, let me phrase it this way, then. Did  
 17 you ever feel that you had a probable cause to  
 18 believe that criminal activity had taken place,  
 19 criminal activity of any sort in connection with  
 20 Mr. Foster's death?

21 A I don't think based on the immediate  
 22 physical evidence we could come up with probable

110

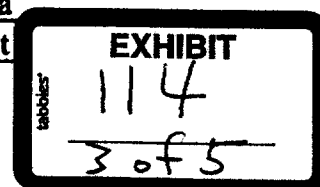
1 cause to believe that somebody else killed him right  
 2 from the beginning.

3 Q Would you feel that you had a reasonable,  
 4 articulatable suspicion at any point that there was  
 5 any criminal activity connected with Mr. Foster's  
 6 death?

7 A No, right from the beginning it was very  
 8 straightforward. Again, keep an open mind, ongoing  
 9 investigation just in case there is something out of  
 10 the ordinary, but I don't think we could put down an  
 11 articulatable, reasonable suspicion that there was.  
 12 There was just nothing to point towards it, nothing.

13 Q Now, I know we don't want to go all the way  
 14 back through the death scene and all of that again,  
 15 but if you could briefly explain the factors that you  
 16 saw at the death scene that led you to feel that it  
 17 was a suicide?

18 A His body was laid out, he was apparently  
 19 sitting on the hillside, on a steep embankment. His  
 20 legs are straight, his body, his arms are at his  
 21 side. There is a gun in his right hand. No trauma  
 22 to the body other than what appeared to be an exit



000475

1 wound in the center rear portion of his head, blood  
 2 under his head. There is no other trauma, no signs  
 3 of a struggle anywhere in the area or broken bushes.  
 4 His clothes were very neat. He's a big man, like I  
 5 said, 6-3, 6-4, over 200 pounds. Could not be  
 6 carried and dropped at that location, or placed. If  
 7 he was killed somewhere else and moved there the  
 8 blood would have been all over the place.

9 There's just -- it was as violent as a  
 10 suicide is, it was a very peaceful scene. It wasn't  
 11 brains blown all over the place, which happens many  
 12 times. The bullet exited the head and left a very  
 13 small hole. It was a scene that the man just sat  
 14 down, contemplated whatever he contemplated, put a  
 15 gun in his mouth, pulled the trigger and killed  
 16 himself. The position of his body was perfect from  
 17 sitting on an embankment, pulling that trigger to  
 18 falling backwards, leaving his hands at his side, his  
 19 legs straight down and his head back.

20 Q Did you see any evidence of a robbery?

21 A No, there is no sign of a struggle. I said  
 22 in the whole area, no broken bushes, no evidence.

1 When we went to his car, determined it was his  
 2 vehicle. He had a watch on. He had, I think, two  
 3 rings on and a pager on. The keys to his car were  
 4 evidently in his right front pants pocket. His car  
 5 was unlocked. His suit jacket and tie were in there  
 6 and his jacket was, his wallet with credit cards and  
 7 almost \$300 in cash.

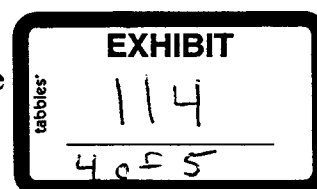
8 Q When you say no signs of a struggle, did  
 9 you see any defensive wounds on his body at all?

10 A No, no signs of any kind of trauma to his  
 11 body other than the exit wound.

12 Q What about to his mouth, his teeth or  
 13 whatever?

14 A I didn't look at the teeth that closely. I  
 15 knew the medical examiner would and medical examiners  
 16 report there were no broken teeth. There was nothing  
 17 forced into his mouth. Again, as odd as it is to  
 18 say, it was a peaceful suicide scene.

19 Q Now, you mentioned that there was still  
 20 some things that you would want to do before you  
 21 close out a case, and at the time that you started  
 22 doing those things, did you -- well, what would those



1 telephonically contacted by Lieutenant P. Gavin, USPP  
 2 with the instructions to telephonically contact  
 3 Mr. David Watkins, a personal friend of the Foster  
 4 family who had requested permission to join  
 5 Investigator Rolla in the death identification of  
 6 Mr. Foster.

7 "Immediately after receiving these  
 8 instructions Lieutenant Gavin recontacted  
 9 Investigator Rolla with the instructions to call  
 10 Mr. Bill Kennedy at the White House who was seeking  
 11 permission from USPP to physically identify  
 12 Mr. Foster's body at Fairfax Hospital. Rolla advised  
 13 that in addition to contacting Mr. Watkins to verify  
 14 that Mr. Watkins would join him in the death  
 15 notification, Investigator Rolla advised security  
 16 officials at Fairfax Hospital of USPP approval for  
 17 Mr. Kennedy and he believes a Mr. Craig Livingstone  
 18 to identify the decedent's body at Fairfax  
 19 Hospital." Does that fit with your recollection?

20 A Yeah.

21 Q Okay. So you called Livingstone or did you  
 22 speak to Livingstone or Kennedy or both?

1 A I think it was Bill Kennedy, he just said  
 2 Craig Livingstone is right here with me. They  
 3 identified themselves and basically stated they  
 4 wanted to see the body, asked if they could see the  
 5 body.

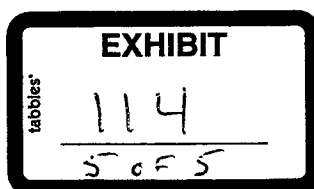
6 Q Okay. Do you know, at this point, are you  
 7 sure if you made the call to the White House or  
 8 Gavin?

9 A To Livingstone and Kennedy?

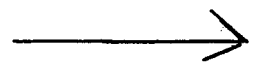
10 Q No, to the Secret Service.

11 A No, I'm not sure. I may have called again  
 12 in reference to late -- maybe a later call in  
 13 reference to them retrieving the identification,  
 14 having an agent come down, retrieve the  
 15 identification. That's the only thing I can think  
 16 of.

17 Q Okay. Now, about the death notification, I  
 18 guess you've been asked a number of times about your  
 19 use of the word "stonewall." We're going to make it  
 20 one more. At your -- at the hearing last summer you  
 21 were asked about your use of the word "stonewall" at  
 22 the depositions from last summer. And I want to read



back of head [redacted]  
[redacted]  
[redacted]



- Dr Haupt declared dead
- Rained his waddy rug; <sup>seiko</sup> watch
- ~~Waddy~~ placed body in body bag -
- Dr Haupt, R. Apt, & ambulance driver, on to a way to ambulance
- Dr transported to Fairfax Hospital
- Went to Park lot
- ~~Simmons~~ phone car
- Clay had accident ant pursued
- <sup>Change</sup> <sup>neck</sup> <sup>Mr. [unclear]</sup> <sup>penicillin</sup> jacket was found over <sup>near</sup> back of front passenger seat

EXHIBIT  
115  
1052

196  
000478



\* Took Polaroids prior  
to touch body on body  
for the cartage. - body  
not touched prior to

Polaroids • Polaroids

was taken

~~at 10:00~~ ←

6:50 PM

clot:

EXHIBIT  
115  
2 of 2

204

000479

2125

NATIONAL PARK SERVICE

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

JUVENILE CASE

|                                  |                  |           |             |            |             |                                      |
|----------------------------------|------------------|-----------|-------------|------------|-------------|--------------------------------------|
| 3 VISITED AREA<br>GLMP Ft. Marcy | 4 MONTH<br>OCCUR | 5 MO<br>7 | 6 DAY<br>12 | 7 YR<br>09 | 8 YEAR<br>3 | 9 CASE INCIDENT NUMBER<br>9313051012 |
|----------------------------------|------------------|-----------|-------------|------------|-------------|--------------------------------------|

|                                              |                                 |
|----------------------------------------------|---------------------------------|
| 10 NATURE OF INCIDENT<br>Death Investigation | 11 RECLASSIFICATION OF INCIDENT |
|----------------------------------------------|---------------------------------|

RESULTS OF INVESTIGATION

ITEM

Scene Investigation

Upon my arrival on the scene at approximately 1835 hours, I was advised by Ofc. J. Spetz, that the following individuals had been in the area of Ft. Marcy for about the last hour. The individual were identified as:

|                                               |     |                            |
|-----------------------------------------------|-----|----------------------------|
| Woodbridge, Va. 22192<br>W/M DOB:<br>Soc. # L | and | Home phone:<br>Work phone: |
| Crofton, Md. 21114<br>W/F DOB:<br>Soc. # L    |     | Home phone:<br>Work phone: |

and advised that they had been in the area of Ft. Marcy since approximately 1700 hours. advised that they had not noticed anything unusual. and advised that they had been sitting in the wooded area off the south side of the parking lot. I asked and what other vehicles were in the area and they advised that when they arrived there had been a small car with a man without a shirt sitting in it, who left shortly after their arrival. They also described a white van with blue lettering, and advised that they observed the driver get out and empty trash. The final vehicle that they observed was a light colored older model car that pulled in next to the deceased vehicle. said that the driver put the hood up and then walked up into the woods for a while and then returned to his vehicle and left. an described the driver as a white male with scrungy hair, but could not provide anything further. and were driving a white Nissan with MD. registration, which was parked towards the east end of the parking lot. After receiving and information they were allowed to leave the area.

**EXHIBIT**

116

10F2

|                                                                             |                                                                                  |                     |                          |                  |
|-----------------------------------------------------------------------------|----------------------------------------------------------------------------------|---------------------|--------------------------|------------------|
| 8 WARRANTS:<br><input type="checkbox"/> YES<br><input type="checkbox"/> NO  | 9 LATENTS<br><input type="checkbox"/> LATENTS<br><input type="checkbox"/> PHOTOS | 10 ID TECH NOTIFIED | 11 INVESTIGATOR NOTIFIED | 12 PAGE OF PAGES |
| 13 STATUS: <input type="checkbox"/> OPEN <input type="checkbox"/> SUSPENDED | 14 REPORTING OFFICER                                                             | 15 INVESTIGATOR     | 16 SUPERVISOR            | 17               |

000480

2126

NATIONAL PARK SERVICE  
SUPPLEMENTAL CRIMINAL INCIDENT RECORD

JUVENILE CASE

|                 |                             |    |     |    |      |                      |
|-----------------|-----------------------------|----|-----|----|------|----------------------|
| VIEW AREA       | DATE AND TIME OF OCCURRENCE | MO | DAY | HR | YEAR | CASE INCIDENT NUMBER |
| CLMP, Ft. Marcy | 0 7 12 09 33                | 9  | 7   | 13 | 015  | 017                  |

RECLASSIFICATION OF INCIDENT

DEATH INVESTIGATION

RESULTS OF INVESTIGATION

After speaking with [redacted] and [redacted] I went to observe the scene of the apparent suicide. After observing the scene of the apparent suicide with Inv. [Abt] Inv. Rolla and Identification Technician Simonello, I returned to the vehicle in an attempt to locate identification for the deceased and a suicide note. I obtained identification for the deceased from his wallet. The wallet was located in the interior pocket of the suit jacket lying on the front passenger seat of a gray Honda with Arkansas registration/RCN 504. The Arkansas drivers license identified the deceased as:

Vincent W. FOSTER  
 W/M. DOB: 01/15 45  
 Address: 5414 Stonewall Rd.  
 Little Rock, Arkansas.

Also, present on the front passenger seat was a White House Identification in the name of Vincent W. Foster. The photographs from both identifications resembled the deceased. In searching the vehicle, I obtained correspondence that gave the following address of 3027 Cambridge Pl., N.W. Washington, D.C., for the deceased. I performed a thorough search of the vehicle and was unable to locate a suicide note.

Due to the fact that White House Identification was recovered, Lt. Gavin was notified and he made notification to the U.S. Secret Service.

After searching the vehicle, the keys to the vehicle could not be located, so Inv. Rolla and myself responded to Fairfax Hospital to recheck the decedents pockets. I located the keys to the vehicle in the decedents right front pants pocket. This set of keys and another set of keys were taken into custody to be held with the rest of the decedent's property.

Investigation continues.

EXHIBIT  
 116  
 2 of 2

|                                                                                |                                                                     |                                                                                                             |                                  |
|--------------------------------------------------------------------------------|---------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|----------------------------------|
| WARRANTED                                                                      | 1010 TECH NOTIFIED                                                  | 11 INVESTIGATOR NOTIFIED                                                                                    | 12                               |
| TYPE<br><input type="checkbox"/> YES<br><input checked="" type="checkbox"/> NO | <input type="checkbox"/> LATENTS<br><input type="checkbox"/> PHOTOS |                                                                                                             | PAGE OF PAGES                    |
| STATUS<br><input type="checkbox"/> OPEN<br><input type="checkbox"/> SUSPENDED  | CLOSED BY                                                           | <input type="checkbox"/> ARREST<br><input type="checkbox"/> EXCEPTION<br><input type="checkbox"/> UNFOUNDED |                                  |
| REPORTING OFFICER                                                              | SAGCEL/D                                                            | DATE                                                                                                        | 15 INVESTIGATOR<br>16 SUPERVISOR |

2159

UNITED STATES DEPARTMENT OF THE INTERIOR  
NATIONAL PARK SERVICE

UNITED STATES PARK POLICE  
MOBILE CRIME LAB REPORT

CASE NUMBER 10502-93

OFFENSE/INCIDENT: Death Investigation

DATE 7-20-93

INCIDENT LOCATION: Ft. Marcy

TIME 1304

DISTRICT/FIELD OFFICE: D-2

VOL. # 166-93

REPORTING OFFICER: [Ferstl]

DETECTIVE \_\_\_\_\_

PHOTOGRAPHIC SERVICES

SIZE: 35mm COLOR: 1 roll-24 B&W: \_\_\_\_\_ WEATHER: fair

POLAROID: COLOR: \_\_\_\_\_ B&W: \_\_\_\_\_ LIGHTING: natural

VIDEO: No

FINGERPRINT SERVICES

SEARCH FOR LATENTS: YES \_\_\_\_\_ NO: X LATENTS RECOVERED: YES \_\_\_\_\_ NO: X

ELIMINATIONS: YES \_\_\_\_\_ NO: \_\_\_\_\_

RESULTS OF INVESTIGATION

On 7-20-93, at approximately 1815 hrs. the ID unit was requested to respond to Ft. Marcy, Va. and assist in a death investigation. The undersigned responded to Ft. Marcy and met with Inv. [R. Apt] at the entrance to the park. Inv. [Apt] directed me to the first parking lot inside of the park where I met with the following persons: Inv. [C. Braun] / Inv. J. Rolla, Inv. [Kodakievik], [Spradman] and officer [B. Watson]. I followed Investigators Rolla and [Apt] to the scene of the incident the location of which was referred to as "the last canon at Ft. Marcy". I arrived at the scene and observed that the scene had been secured with crime scene tape and that Sgt. Edwards was present. The undersigned photographed the scene using 35mm color film, color Polaroid photographs were taken by Inv. Rolla. I then collected a handgun and a pair of eyeglasses as evidence.

I returned to the parking area and was advised by Inv. Braun that the 4dr, grey, Honda Accord bearing Arkansas tags [RCN 504] might be the victim's. The vehicle was parked in the 4th designated parking space on the left. I photographed the exterior of the vehicle opened all of the doors, which had been closed but not locked, and photographed the interior. Inv. [Braun] searched the interior of the car for identification and recovered a photo ID card apparently the victim's. I then sealed the car with evidence tape directed that it be taken to the CIB impound lot for further processing. I then left the scene and responded back to the ID office.

Investigation continues

REPORTING OFFICER: [Signature] DATE: 7-25-93 SUPERVISOR: [Signature] DATE: 7/25/93

white US Dress shirt top button open. Dried + liquid ←  
 white new neck T-shirt Large blood pattern ←  
 grey shirt at long dress pants Rt shoulder + Cold ←  
 All belt. of shirt ←  
 All socks - powder, hairs Rt hand ←  
 Pink shoes Remains + 2 rounds ←  
 w/ salt + pepper hair poss. Hazel eyes 7-20-92  
 hair shaved 42-45 yoa. 1910hrs  
 Head East 92-30002  
 feet ~~with~~ west } prone Dress + jacket  
 eyes open (hr)

glasses - down slope on west tentative shoe print  
 BA from suspect's feet

Silver colored Ring in "Diamond" Rt Ring 6-gem  
 Siko Aubrey watch #300757 Bn leather band gold face  
 left wrist

Motorola Bravo pager # 052943 with CA attached Rt side  
 turned off from Rt side belt  
 gold band Ring inscribed ZSA with 4-20-68

1943 <sup>hs.</sup> Currier Hunt Fix Co. Take to Co. Hope to be  
promoted - Railed

2003 60x no. fine + residue residue one (m-lean)  
60x Co. fine + residue Truck one



2269

7-20-93  
1910 W.S.  
#93-30502  
South Street

8:15 - requested + responding (Arvan, Rella + myself)  
8:35 - arrived

personnel on scene: Hodakovic #32 beam  
241 Jerske 246 Edwards + 200  
241 Luni Jerske located DB in fan  
013 Gutz

shed to warm head  
[220.317] UA '94 300E 4DR magz entrance 7  
[20N 504] det. '93 Lt Mandy. Rt. turn speed on way  
(Hazard @ front) head ahead. Lt 4DR. Grey/Brown

Post arrived: Watson + in/on

178

EXHIBIT  
118  
2 OF 2

000485

4/12/93

Dr Donald David Hawk, MD

7/20/93

|         |     |
|---------|-----|
| EXHIBIT |     |
| tabbles | 119 |
| 1 of 2  |     |

if down inside / inside by finger PD  
 and go on all call. if pulled by  
 finger didn't large at rest. even.  
 Bone Plate different texture.

on 7/20 USPF called re search  
 of St Mary Park (evening)  
 USPF officer located Hawk's body,  
 15' up into woods.  
 - body in an red carpet -  
 body on ~~the~~ footpath over hill  
 some blood around back of head  
 Sister called with help of USPF officer  
to look at back of head, picked up in  
officer's jacket at wound of neck.  
 looked like it had happened several  
 hours before, floor in and out of mat.  
 Did not pronounced her dead.

Sister dressed in expensive looking shoes,  
 slacks - shirt.

Witnesses present were removed

009486

did not say he consisted w/ low ability  
weapon

That we call say 25 cal. <sup>with</sup> weapon used  
that had much much more events,  
input.

Does it think there was anything out of  
ordinary

15 yrs ME experience he watched teacher  
approx 12 times / think he - seen  
~~going to school 20 miles out of school~~ ~~seen~~  
seen by that approx 12 # of graduate to the kind  
that only one he for perfect.

" no role in category

SOP walk coded in full. ~~Granville~~ ~~Granville~~ ~~Granville~~ ~~Granville~~ ~~Granville~~

JSP on advised that a grand jury had  
made an anonymous call. Can not  
follow up - this one.

no note found.

tabbles®  
EXHIBIT  
119  
2 of 2



1429

EMS INCIDENT REPORT

EMT # 47581-25 UNIT 403 BUFF CO REGD LING EJECT 47581-25  
47581-25 UNIT 403 BRIPT W APPROP 109 APPROP 109 VEN # 1104 MILEE 010  
ION O GEORGE WASHINGTON HEN P. HPT # RESPET # RESPET #  
PROBLEM # SITUATION #14 EN ACTION TAKEN #  
HPT # 47581-25 EMP # 47581-25 MID EMP # OTH EMP #  
T BY EMP # 47581-25/STATION #00 SP 2000 SP 2000  
E OPER

UNIT TIMES

TCN 19:45:37 ENROUTE 19:47:32 ONSCENE 00:00:00 ENPHOSP 20:17:47  
P 20:30:55 NEWSTAT 20:59:28

PATIENT INFORMATION

1ST NAME VINCENT FIRST FOSTER HI  
ADDRESS UNK HPT #  
UNK STATE UNK ZIP CODE  
AGE RACE G SEX H CAUSE PROBLEM # SITUATION #14 RESPET #  
GIVEN # SCORE CASE SEVERITY 5 OUTCOME 1  
OSP 00 DESTINATION 14 CORR 5 QUALITY 1 FECC DIR FT REFUSAL  
PUL RES CX 8 ERG-F ERG-H

| 9        | COLOR # | TEMP # | MOIST # | PREVIO | RESUS | SPECTA |
|----------|---------|--------|---------|--------|-------|--------|
| 1ST NAME | PT RX # |        |         |        |       |        |
| 1        | HPT     | EMP #  | EFT     | NOTED  | HPT   | EMP #  |
| 3        |         |        |         | 04     |       |        |
| 3        |         |        |         | 05     |       |        |
| 3        |         |        |         | 08     |       |        |
| 3        |         |        |         | 10     |       |        |
| 1        |         |        |         | 12     |       |        |
| 3        |         |        |         | 14     |       |        |
| 3        |         |        |         | 16     |       |        |
| 7        |         |        |         | 18     |       |        |
| 3        |         |        |         | 20     |       |        |

OIC 000084

CONFIDENTIAL

|         |         |
|---------|---------|
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FAIRFAX COUNTY FIRE AND RESCUE DEPARTMENT  
 ONLINE FIRES INCIDENT REPORT  
 DECODING GUIDE

VERSION 1.40

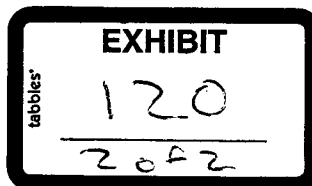
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**SITUATION:** Incident Situation

**GENERAL**

- 000 Cardiac arrest, unwitnessed, trauma related
- 001 Cardiac arrest, unwitnessed, medical related
- 002 Cardiac arrest, witnessed, trauma related
- 003 Cardiac arrest, witnessed, medical related
- 004 Respiratory arrest, witnessed, medical/trauma
- 005 Respiratory arrest, unwitnessed, medical/trauma
- 006 Trauma, significant injury involving multiple body areas, CRAMS equal to or less than 8
- 007 Trauma, moderate injury involving multiple body areas, CRAMS equal or greater than 9
- 008 Burns, thermal, involving multiple body areas
- 009 Burns, chemical, involving multiple body areas

F - 8



000489

1656

FD-302 (R.v. 3-10-82)

**CONFIDENTIAL**

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/17/94

Dr. Julian Orenstein, M.D., of the Department of Emergency Medicine, Fairfax Hospital, 3300 Gallows Road, Falls Church, Virginia, telephone 703-698-3195, was interviewed at his residence.

After being apprised of the identities of the interviewing agents and the purpose of the interview, Orenstein thereafter provided the following information:

On July 20, 1993, between 8:30 pm and 9:00 pm, Dr. Julian Orenstein of the Department of Emergency Medicine, Fairfax Hospital, was asked by a nurse to pronounce an incoming patient dead. The individual Orenstein observed appeared to be a "fortyish" male, who was clearly deceased. Orenstein noted that the decedent was dressed in expensive clothing. Paramedics accompanying the body described the victim to be an apparent suicide. It was further described that a gun had been located in the decedent's hand.

The decedent's body was in the ambulance when Orenstein looked at it. It was further described to have still been in the body bag during Orenstein's observation.

In continuing his visual observation of the body, Orenstein did not note any obvious marks. Orenstein did sight a dime sized pool of blood on the bridge of the decedent's nose, on the left side. Orenstein also noticed blood on the decedent's face. Orenstein further observed that the blood upon the decedent was completely dried. Orenstein's discussion with the paramedics centered on the condition of the body and any other information that was available at the time.

Orenstein later went back to the morgue area of the hospital after hearing a discussion that the decedent was from The White House. He recalled that members of the Secret Service were coming to the hospital to view the body.

At the morgue, Orenstein and Police Officer Dave Tipton, Fairfax County Police Department, lifted the body by the shoulders. Orenstein pulled the body forward noting that it had

Investigation on 4/14/94 at Rockville, Maryland File # 29D-LR-35063 SUB A

by \_\_\_\_\_ Date dictated 5/16/94

OIC 000294

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**EXHIBIT**  
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**000490**

1657

FD-302a (Rev. 11-15-83)

**CONFIDENTIAL**

29D-LR-35063 SUB A

Continuation of FD-302 of Julian Orenstein On 4/14/94 Page 2

become rigid. The purpose for lifting the body by the shoulders was to locate and observe the exit wound on the decedent's head.

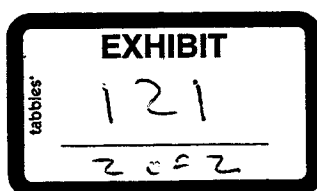
Orenstein wiped off the blood that had previously been spotted on the upper left side of the decedent's nose near the eye. Orenstein was pretty sure that there was blood on the decedent's shirt. Upon completion of his observations, Orenstein saw nothing about the body that would lead him to believe that the death was anything other than a suicide.

Police officers noted the amount of powder on Foster's hand being an indication of suicide. In the course of conducting his examination of the decedent, Orenstein did not get any blood on himself nor did he see any oozing blood.

Orenstein does not specifically recall seeing blood on the decedent's back. Orenstein noted that this was the first instance he could recall where he went to the morgue to look at a decedent. Orenstein was not aware of anyone else who saw Foster at the hospital other than himself, Officer Tipton and the morgue guard. Orenstein recalls seeing powder on both hands of the decedent.

Orenstein advised that he had received in the course of his education, no forensics or pathology training. He has viewed approximately 10-25 suicide victims since August of 1991. Orenstein recalled Foster being the only death he's dealt with caused by a gunshot to the head.

In the course of the interview, interviewing agents displayed crime scene photographs to Orenstein. Orenstein noted on one of the photographs, a spot near the decedent's left eye. Orenstein did not recall seeing blood on the nose and mouth of the victim as depicted in the crime scene photograph.



OIC 000295

**000491**

**DEPOSITION OF BILL BURTON  
IN RE: S. RES. 120**

**WEDNESDAY, JULY 5, 1995**

**U.S. SENATE,  
COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS,  
SPECIAL COMMITTEE TO INVESTIGATE WHITEWATER  
DEVELOPMENT CORPORATION AND RELATED MATTERS,  
Washington, DC.**

Deposition of BILL BURTON, called for examination pursuant to notice of deposition, at 1:49 p.m. in Room 538 of the Dirksen Senate Office Building, before CARMEN BUNCH, a Notary Public within and for the District of Columbia, when were present:

**MICHAEL CHERTOFF, Esq.**  
Majority Special Counsel  
**LANCE COLE, Esq.**  
Minority Deputy Special Counsel  
**GLENN F. IVEY, Esq.**  
Minority Counsel  
**NEAL E. KRAVITZ, Esq.**  
Minority Principal Deputy Special Counsel  
**RICHARD BEN-VENISTE, Esq.**  
Minority Special Counsel  
U.S. Senate  
Committee on Banking, Housing, and Urban Affairs  
534 Dirksen Building  
Washington, DC 20510  
On behalf of the Committee.

**CHARLES M. CARBERRY, Esq.**  
Jones, Day, Reavis & Pogue  
599 Lexington Avenue  
New York, New York 10022  
On behalf of the Deponent.



**000492**

1 Q That's all you know?

2 A That's all I know.

3 Q Did you have much contact with Maggie  
4 Williams when you were at the White House?

5 A I worked with Maggie not irregularly.

6 Q On what kinds of things?

7 A A variety of things, ranging from social  
8 events to health care.

9 Q Did you have occasion to deal with Patsy  
10 Thomasson at the White House?

11 A More regularly.

12 Q What was her area of responsibility?

13 A She was director of administration. I  
14 think she was special assistant to the President and  
15 director of administration within the office of  
16 management and administration.

17 Q How did she relate to Mr. Watkins in  
18 position?

19 A He was an assistant to the President --  
20 which is, in the White House hierarchy, higher than a  
21 special assistant to the President -- and ran the  
22 office of management and administration, of which the

40

1 department of administration, which she ran, reported  
2 to. Therefore, she reported to Mr. Watkins.

3 Q Let me direct your attention to July 20, in  
4 the evening. Where were you that evening, let's say  
5 around 6:00?

6 A Around 6:00 p.m.?

7 Q Dinner time, let's say.

8 A Probably at or about my desk.

9 Q Did there come a point in time that you  
10 learned that Vincent Foster's body had been  
11 discovered?

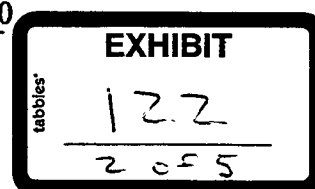
12 A Yes.

13 Q How did you learn that?

14 A Well, the first I heard it, it was reported  
15 to me as an unconfirmed, unconfirmed as to who it  
16 was, but that a body had been found. That was in a  
17 telephone call from Mr. Watkins.

18 Q Do you remember approximately when that  
19 was?

20 A It was approximately before the President's  
21 broadcast of the Larry King show from the residence  
22 of the White House started. I would guess 15 to 10



000493

1 minutes prior to that.

2 Q When did that begin, do you know?

3 A I'm thinking it was 9:00 eastern time.

4 Q Did Mr. Watkins tell you where he was at  
5 the time he made this call to you?

6 A No, he didn't. Not that I recall.

7 Q What did you do when you heard this?

8 A I confirmed as much detail as I could from  
9 Mr. Watkins, probed it a little bit, and left the --  
10 my desk in the White House, in the west wing, and  
11 went to the residence to inform Mr. McLarty.

12 Q Did Mr. Watkins tell you how he had learned  
13 about this, or where?

14 A He explained to me that he was a duty  
15 officer, which was not a phrase I was familiar with,  
16 but that as a result, the Park Police had notified  
17 him. Law enforcement had notified him. I believe he  
18 said Park Police because I believe he gave me the  
19 name and telephone number of a Park Police person who  
20 was aware of that.

21 Q Was that Major Hines?

22 A I believe that's right.

1 Q Now, you went to the residence and told  
2 this to Mr. McLarty. What happened next?

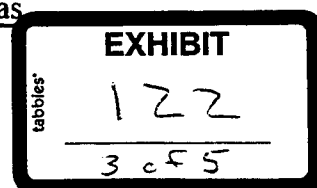
3 A I went back to the west wing and got on the  
4 telephone and started trying to confirm the report  
5 Mr. Watkins had given me.

6 Q How did you try to do that?

7 A By calling Major Hines and getting names  
8 and telephone numbers of other investigators. I got  
9 the hospital number, I called a variety of the kind  
10 of people that you would call to track down  
11 information on something like that. Perhaps the  
12 sheriff's office. I don't remember who all I called,  
13 but police and medical-type personnel.

14 Q And do you remember how you learned that it  
15 was Mr. Foster's body who had been discovered?

16 A Later in the evening, later in the evening  
17 I talked with either Craig Livingstone or Bill  
18 Kennedy. Both were out at the hospital where  
19 Mr. Foster's body was. And they were the ones who  
20 said it was Vince, told me, and that confirmed it.  
21 During the approximately 30 to 45 minutes when I was  
22 on the phone with these police officers and whatnot,



1 I came to understand that it was Mr. Foster's body  
2 that had been found.

3 Q Did you notify Mr. McLarty about that?

4 A Yes, approximately 9:45, thereabouts, I  
5 went back to the residence and told Mack that, while  
6 we haven't had a relative or a friend go out and  
7 identify the body, it's pretty clear it was Vince's  
8 body that had been found at Fort Marcy Park.

9 Q Now, at this point in time when you went to  
10 tell Mr. McLarty this, what was your understanding  
11 about what tentative conclusion, if any, had been  
12 reached concerning the cause of death?

13 A I don't remember if it was at that point,  
14 but -- I take that back. I do recall. By that point  
15 I had learned that the Park Police had realized it  
16 was a suicide.

17 Q Did you hear this from the Park Police or  
18 from somebody else?

19 A I believe it was from an officer who was at  
20 the scene who described in some fairly specific,  
21 fairly graphic detail the scene and why it was a  
22 suicide, why it was clearly a suicide.

1 Q Now, you remember having a telephone  
2 conversation with Major Hines during this period of  
3 time on the evening of July 20; correct?

4 A Yes.

5 Q And what did he tell you concerning  
6 securing Mr. Foster's office?

7 A I don't recall any discussions with  
8 Mr. Hines about securing the office.

9 Q Did you have discussion with anybody about  
10 securing the office?

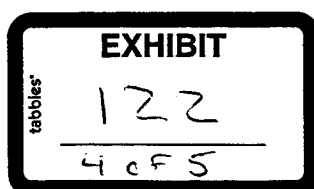
11 A I do not recall on that evening talking to  
12 anybody about securing the office.

13 Q Is there another time you remember having  
14 conversation about securing the office?

15 A Yes.

16 Q When is that?

17 A There came a point subsequent to the night  
18 of the death when there was -- an issue arose as to  
19 whether the office was secured, who ordered it  
20 secured, when it was unsecured for purposes of a  
21 search. And I think there were some press reports,  
22 for example, that Mr. McLarty had ordered the office





1 A "Benefit." The second word looks like  
2 "fairly." The next word looks like "no." And then  
3 perhaps "speculation." Then there is a quote in  
4 either -- and either pain or pair is in quote.

5 Under 3, it looks like "not to call hours,"  
6 h-o-u-r-s. And under 4, it says "press-office-keep  
7 out."

8 Q Can you tell us what those references are,  
9 what they denote?

10 A I cannot.

11 Q They don't mean anything to you?

12 A No. I would be guessing to do -- to try to  
13 make them out.

14 Q You see the reference below that, "Lisa and  
15 kids to Sheila." Do you know what that refers to?

16 A I'm not guessing here, but I'm not  
17 positive, but I would suspect -- more than suspect  
18 that's Lisa Foster, the widow of Vince Foster, and  
19 kids would probably be her kids, which are actually  
20 older, in some cases they're adults, to Sheila.  
21 Probably a reference to Sheila Foster Anthony,  
22 Mr. Foster's sister.

1 Q What does that reference refer to?

2 A I'm not sure. Perhaps it's a reference to  
3 Lisa and the kids going to Sheila's.

4 Q Was there a time that Mrs. Foster and her  
5 children were at Ms. Anthony's?

6 A I do not know.

7 Q Now, it says here at the bottom, "autopsy  
8 7:00 a.m., 7-22-93, two to three hours." Do you know  
9 when you got that information?

10 MR. BEN-VENISTE: In fairness, that's  
11 written upside down.

12 MR. CHERTOFF: I know. It's towards the  
13 bottom written upside down.

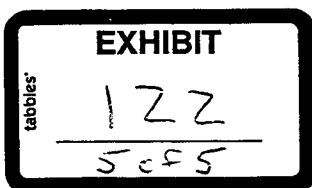
14 THE WITNESS: I do not remember when I got  
15 that information. I do not remember when I got that  
16 information.

17 BY MR. CHERTOFF:

18 Q Do you know this number? Where it says  
19 "Webb, 363-5743," is that Mr. Hubbell's home number?

20 A I don't know Mr. Hubbell's home phone  
21 number.

22 Q Do you know what number that is?



**DEPOSITION OF CHARLES W. HUME  
IN RE: S. RES. 229**

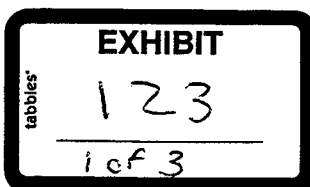
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**FRIDAY, JULY 22, 1994**

**U.S. SENATE,  
COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS,  
Washington, DC.**

Deposition of CHARLES W. HUME, called for examination pursuant to notice of deposition, at 9:00 a.m. in Room SC-10 of the U.S. Capitol, before CINDY L. SEBO, a Notary Public within and for the District of Columbia, when were present:

**GLENN F. IVEY, Esq.  
Majority Counsel  
ROMAN E. DARMER, III, Esq.  
JULIE FALLON, Esq.  
IRA PAULL, Esq.  
Minority Counsel  
Committee on Banking, Housing, and Urban Affairs  
U.S. Senate  
On behalf of the Committee.**



1 it off the copies as well as we could see it. You  
2 know, as far as fingerprinting it, it never crossed my  
3 mind, you know.

4 Q In your experience, would the return of the  
5 personal effects to the family provide an opportunity  
6 to do some interview, follow-up interviews with the  
7 family?

8 A Oh, sure, sure.

9 Q So when you returned the personal effects  
10 quickly in this case --

11 A Well, I'm sure in my career -- I have no  
12 doubt that sometimes I've either been part of a team or  
13 had a partner that has returned stuff and taken a  
14 person's picture as evidence that they got it back.

15 Obviously, we want the photograph for other  
16 reasons, but some people have a habit or a practice as  
17 investigators of taking a picture, you know. We have  
18 our ways of getting photos from photo spreads. I mean  
19 there's different things that different investigators  
20 use to get the job done, you know.

21 Q Sure. Captain, the autopsy had taken place  
22 on that day, is that right, while you were at the White

256

1 House, the autopsy had happened?

2 A I know we got it moved up one day earlier  
3 than what I had been informed that it had been  
4 planned. Now, if the records say it was that day, then  
5 it was that day.

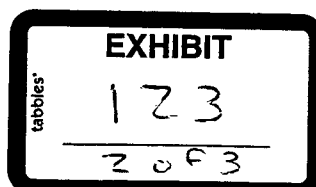
6 Q Okay. And do you recall who told you to move  
7 the autopsy date?

8 A I believe it was Major Hines asked me. I  
9 mean he didn't tell me, because I don't do that. I  
10 can't control that. I have no control of when the  
11 autopsy is going to be. He says, you know, if you're  
12 able or if you can to try to get it moved up, you know,  
13 that request came from the White House.

14 Q Did you do anything more on the Foster  
15 investigation that night when you got back to the  
16 station besides dealing with the personal effects?

17 A I don't think so. But I did say earlier, you  
18 know, now we're also dealing with Mr. Hamilton here, I  
19 think. I think I said earlier "they" I assumed to be  
20 the White House, and I want to clarify that that's  
21 still what I'm saying here, you know.

22 I'm pretty certain it was Major Hines that



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1 think it would be appropriate, let me put it that way,  
 2 because of bullet fragments and whatnot. But the  
 3 X-rays -- having to cut and look and probe and look, I  
 4 think that an X-ray would be appropriate, but I don't  
 5 think that's the police call, I think that's the  
 6 medical examiner's call.

7 Q In your experience, did you have to request  
 8 that certain procedures or tests be used in medical  
 9 exams or Dr. Beyer to do them?

10 A I'm sorry, start that again.

11 Q Did you ever have to ask Dr. Beyer to do a  
 12 certain kind of test or take an X-ray, for example?

13 A No. The only thing I asked Dr. Beyer if he  
 14 could move up the autopsy to get that done as soon as  
 15 possible.

16 Q In your experience, does the autopsy report  
 17 usually contain some estimate of a time of death?

18 A No, I don't think so. Time of death is when  
 19 the person was last seen alive, when he was found dead,  
 20 that's your time of death. You know, you can do the  
 21 temperature, the body or maggots or flies or insects,  
 22 you know. There are certain people that study that.

1 It's only -- I think it's a science in  
 2 itself, but I'm telling you now, the average medical  
 3 examiner, in my opinion, is going to tell you when he  
 4 was seen alive and when was he found dead. And, you  
 5 know, I don't think they're going to tell you within an  
 6 hour. I just don't believe that's going to happen.

7 Most all of my training and experience  
 8 indicate when they were last seen alive, when their  
 9 body was found and what condition their body was in,  
 10 you know. That's the best answer I can give you.

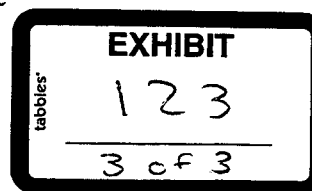
11 Q Okay. Let me ask you some questions about  
 12 some of the follow-up you did on friends of or  
 13 acquaintances or associates of Mr. Foster other than  
 14 the White House interviews you've described.

15 Do you recall trying to contact Mr. Lyons,  
 16 Mr. James Lyons?

17 A Yes.

18 Q And how did you come to contact him?

19 A Well, when we had gone back up and saw --  
 20 when we had gone back up and met with Cliff Sloan over  
 21 at the EOB to look at little message notes and also the  
 22 phone log -- now that phone log is his -- the way that



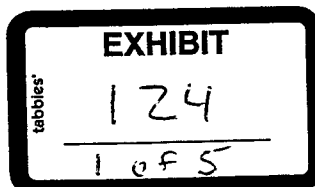
**DEPOSITION OF ROBERT H. HINES  
IN RE: S. RES. 229**

**MONDAY, JULY 25, 1994**

**U.S. SENATE,  
COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS,  
Washington, DC.**

Deposition of ROBERT H. HINES, called for examination pursuant to notice of deposition, at 8:30 a.m. in the Dirksen Senate Office Building, Room SD-632, before CARMEN BUNCH, a Notary Public within and for the District of Columbia, when were present:

**GLENN F. IVEY, Esq.**  
Majority Counsel  
**ROMAN E. DARMER, III, Esq.**  
**IRA PAULL, Esq.**  
**JULIE FALLON, Esq.**  
Minority Counsel  
Committee on Banking, Housing, and Urban Affairs  
U.S. Senate  
On behalf of the Committee.



1 would be primarily the FBI. Their jurisdictional basis, as  
 2 far as the death, would be to determine if Vince Foster was  
 3 murdered, if he was assassinated or if it was a terrorist  
 4 act. They would have primary subject matter jurisdiction.  
 5 That was clear. I knew that. And the FBI knew that. We  
 6 all knew that. The other part of it is they're asking that  
 7 the Attorney General coordinate this investigation.

8 And I said previously, we know that in the law  
 9 enforcement world in the United States, especially in the  
 10 federal government, the Attorney General is the top cop.  
 11 So for the Attorney General to be assigned to take over  
 12 this task, even though it's our primary bailiwick, if we  
 13 proved that it was not a terrorist attack or something like  
 14 this, it would be something they could do. Not normally  
 15 done but would not be that rare.

16 Q Following that meeting, was it your understanding  
 17 that the Department of Justice was in charge of the  
 18 investigation?

19 A I was not real clear about who was in charge. I  
 20 knew that we would be coordinating everything with the  
 21 Department of Justice.

22 Q But did you have a sense that Department of

90

1 Justice would be calling the shots?

2 A Not at that time.

3 Q Did there come a time when you determined that  
 4 Department of Justice was really in charge of this  
 5 investigation?

6 A There came a time when I determined that they  
 7 were calling a lot of shots, setting up a lot of protocols.

8 Q When did that become clear to you?

9 A Probably on the evening -- on the evening of July  
 10 22.

11 Q So in connection with the search of the office?

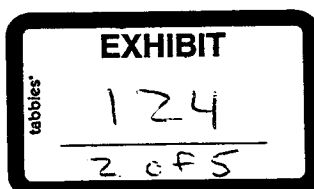
12 A In connection with that I saw that they had -- I  
 13 knew Mr. Margolis had a fairly high position. I mean, I've  
 14 seen him around town, been here a long time, been an  
 15 investigator, I think I worked on the assets forfeiture  
 16 things before. Has nothing to do with the Foster  
 17 investigation. And I saw him, and I said well, okay.

18 Q Who assigned the Department of Justice to take  
 19 over the investigation in this case?

20 A Who assigned them?

21 Q Who told them to do it?

22 A Mr. Nussbaum.



000501

1 A I'm not aware of any.

2 Q Who were the FBI contacts that the Park Police  
3 were dealing with in this case in the course of your  
4 investigation?

5 A I don't recall their names.

6 Q You wouldn't have been dealing with them at your  
7 level?

8 A No, I wouldn't.

9 Q But people might -- people involved in the  
10 investigation might be dealing with them?

11 A Yes.

12 Q How long was the presentation at the White House?

13 A I would say about 30 minutes, 25, 30 minutes.

14 Q Did there ever come a time when you and Chief  
15 Langston were with a smaller group of people, broke off  
16 with a smaller group, or that the group of people left the  
17 room?

18 A No, only when we were exiting the building, we  
19 said some hellos to Secret Service people there, uniformed  
20 division. There might have been a small conversation that  
21 he had with somebody after. But there was no other  
22 breakoff that I noticed.

94

1 Q Did you view the Foster office during that visit?

2 A I did not.

3 Q Did you observe that the office had been secured?

4 A No, I did not.

5 Q Did anyone tell you whether it had been secured  
6 at that point?

7 A No, they didn't. Mr. Nussbaum did tell me that  
8 he would have it posted.

9 Q What did you think he meant by that?

10 A Security put on it.

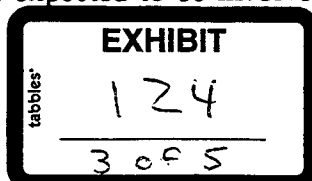
11 Q Would you have expected Park Police personnel to  
12 have secured the office?

13 A No, I wouldn't.

14 Q Why not?

15 A Well, it's normally the jurisdiction, the  
16 bailiwick of the Secret Service uniformed division. I  
17 would suspect that they would do that at our request. I  
18 didn't feel like we needed to come in and step on their  
19 toes. They're the primary police protection there. So it  
20 would have been the Secret Service's job to secure that  
21 office.

22 Q Would you have expected to be involved in



000502

1 developing the protocols for the security of the office?

2 A Well, to be real truthful, when he told me he was  
3 going to post it, I already figured it was secured.

4 Q So it surprised you that it had been secured  
5 before that morning?

6 A Yes.

7 Q Were you concerned about the level of security at  
8 that office?

9 A No, I figured the Secret Service takes care of  
10 security matters, it would be adequate and it would not be  
11 something that I should be worried about.

12 Q On that morning, were you aware that Investigator  
13 Braun had previously requested that the office be secured?

14 A I was not aware specifically. I knew that it  
15 would be normal procedure for us to ask.

16 Q So you weren't surprised when you later learned  
17 that she had made that request of Mr. Watkins?

18 A No, I wasn't.

19 Q You mentioned something about scheduling the  
20 autopsy. When did you first have any discussions about the  
21 timing or the scheduling of the autopsy?

22 A Well, at some time after that, you know, I said I

96

1 would arrange for the autopsy, to try to get it scheduled  
2 that day if we could.

3 Q You said that at the White House?

4 A At the White House meeting, yes.

5 Q Why did it come up?

6 A I think they were talking about funeral  
7 arrangements. I don't recall who said what about it, or  
8 what exactly was said. And I said we would have an  
9 autopsy. They asked when. And I said, well, I don't  
10 know. I'd try to find out. It was later I found out that  
11 it was scheduled for sometime later and I asked the  
12 investigators to talk to the doctor to see if they would do  
13 the autopsy faster.

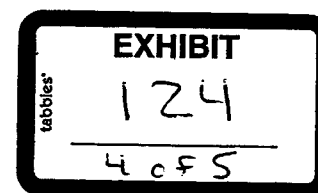
14 Q But did anyone at the White House specifically  
15 ask you to move the autopsy up?

16 A They did not. They did not.

17 Q Did anybody at the White House briefing seem  
18 surprised that an autopsy was going to happen?

19 A I didn't notice. If they had been -- I didn't  
20 notice any surprise.

21 Q Was anything said at the meeting at the White  
22 House that affected how the investigation went forward?



000503



1 Q And do you know if Hume --

2 A They just told me about it. I didn't take it as  
3 a complaint. They just said that there was some White  
4 House -- members of the White House counsel present when  
5 they interviewed certain members.

6 Q And did it seem unusual to you that White House  
7 counsel personnel would be present at all those interviews?

8 A Well, it's unusual when we interview witnesses to  
9 have -- in this setting, you know, where it's not -- we  
10 didn't call them down to the police station or anything.  
11 It's unusual when we go to somebody's place of business or  
12 work to have an attorney present, yes.

13 Q Do you think the presence of Mr. Nussbaum might  
14 influence or affect the responses of a secretary at the  
15 White House, for example?

16 A I have no opinion. It's possible it could but I  
17 don't know that for a fact.

18 Q Do you recall if Detective Markland or Captain  
19 Hume ever suggested that the presence of White House  
20 counsel might have affected the interviewees?

21 A They just told me that they were present.

22 Q Why did you ask -- why did you request that the

110

1 autopsy be moved up a day?

2 A Because of concerns for the family, primary  
3 reason. I mean, nobody actually said that. I said, you  
4 know, we could talk to them, it might have been scheduled  
5 for the next day. I said we could talk to them and have it  
6 moved up.

7 Q Did Mr. Hamilton ever contact you in that regard?

8 A No, not that I recall.

9 Q Was it related to the family's desire to make  
10 funeral arrangements?

11 A Yes.

12 Q So were you trying to coordinate with certain  
13 travel?

14 A Yes.

15 Q But this was something that you initiated?

16 A I initiated it, yes.

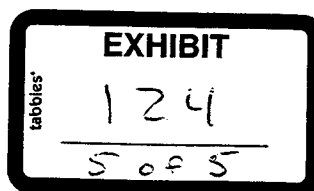
17 Q And no one suggested this to you?

18 A Yes. And I've done that before.

19 Q Who told you what the families expected,  
20 timingwise, for the funeral?

21 A I don't recall.

22 Q Do you recall if you learned that at the White



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**HEARINGS RELATING TO MADISON GUARANTY S&L AND THE WHITEWATER DEVELOPMENT CORPORATION—WASHINGTON, DC PHASE**

**VOLUME I**

**FRIDAY, JULY 29, 1994**

**U.S. SENATE,  
COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS,  
Washington, DC.**

The Committee met in room 106, of the Dirksen Senate Office Building at 10 a.m., Senator Donald W. Riegle, Jr. (Chairman of the Committee) presiding.

**OPENING STATEMENT OF CHAIRMAN DONALD W. RIEGLE, JR.**

The CHAIRMAN. The Committee will come to order. Let me invite all those that are standing to find seats so that we can begin.

Good morning to everyone and welcome to all those in attendance this morning. Today, the Senate Banking Committee begins the public hearing phase of our inquiry on the so-called Madison Guaranty/Whitewater matter. We do so under specific legislative instructions from the full Senate. Senate Resolution 229 mandated this inquiry and it instructed our Committee to begin these public hearings by today, July 29, 1994.

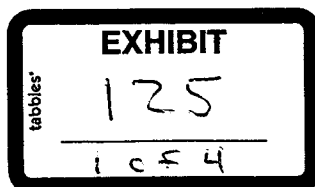
The scope of our present effort was carefully defined by the Senate Resolution 229 to pursue only three specific matters in order to not interfere or compromise in any way the full-scale inquiry being directed by Independent Counsel, Robert B. Fiske, Jr.

Now, Mr. Fiske's effort began on January 20, 1994, when Attorney General Janet Reno announced the appointment of this respected former prosecutor to serve as Independent Counsel to investigate allegations relating to Whitewater/Madison. He has full Federal authority to prosecute any violations of both civil and criminal laws.

On March 7, then, Mr. Fiske, aware that some in Congress were pressing for hearings on this subject, wrote to our Committee requesting that we not hold hearings that might compromise his investigation and jeopardize any later prosecutorial efforts he might undertake. The Senate itself recognized the importance and the primacy of Mr. Fiske's concerns on March 17 by a unanimous vote of 98 to zero.

The Senate passed a resolution authorizing hearings into all matters related to Whitewater but carefully provided that any Senate hearings should, and I quote:

(1)



000505

subpoenaed. Again, the pager was turned off. I did not believe there was anything on there.

I have a pager, I turn it off, there's nothing, there's no memory on my pager. You know, possibly some pagers have memories. I did not think of it, to be honest, and why, again this was a suicide investigation. What it could tell me we found out. Of course, family members and many other people were looking for him, he was a high White House official, they were paging him.

My feeling was that was part of his suicide note. He turned his pager off. He was not going to receive any more messages. No, at that time I did not need it, and if I did need it, I could subpoena the records.

The CHAIRMAN. Thank you.

Senator Kerry.

Senator KERRY. Officer Rolla, you were asked earlier about this question of moving up the autopsy. It is agreed that the autopsy was moved up by a day. Is that correct, doctor?

Dr. BEYER. Well, as soon as I heard about the case, I had the body transported over, and we make every effort to do an autopsy within less than 24 hours if possible. Therefore, once I could get the body over, we proceeded with the autopsy.

Senator KERRY. But did you receive a message, doctor, asking you to try to proceed faster than normal?

Dr. BEYER. No, sir.

Senator KERRY. It is my understanding that Major Hines, who is sitting behind you but not at the table, that his recollection is different, and that he believes that the request to move it up was in order to facilitate the transfer of the body to Arkansas. Is that accurate, Mr. Rolla? Do you remember that, Ms. Braun?

Ms. BRAUN. That was my understanding, when we left that morning, the autopsy was set for the day after the 22nd, and then I found out later on in the day that it had gotten moved up and that they did the post on the 21st.

Senator KERRY. And it was your understanding that that was in order to facilitate the transfer of the remains to Arkansas?

Ms. BRAUN. Yes, that is my recollection.

Senator KERRY. Now, doctor, whether or not there was any request to move the time of the autopsy up, this would obviously call into question whether or not there was any reason for so doing. And I ask you, sir, whether or not, in the course of any of the 20,000 autopsies you have performed, you have ever altered, changed, or adjusted the outcome of your autopsy to fit anybody's requirements or schedule?

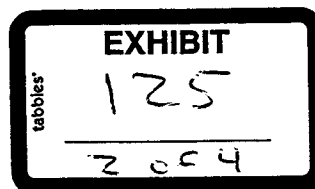
Dr. BEYER. Not anybody else's schedule to me. We may alter it to fit our own schedule.

Senator KERRY. I understand that, but have you altered the findings, what you determined in the course of autopsy, did you change that or alter any finding, as a consequence of anything anyone asked you to do in this case?

Dr. BEYER. No, sir.

Senator KERRY. Have you ever done that in any case?

Dr. BEYER. No, sir.



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Senator FAIRCLOTH. You did it yourself?

Dr. BEYER. [Nods in the affirmative.]

Senator FAIRCLOTH. Dr. Beyer, Robert Fiske devoted over 70 pages in his report to the biographies of the pathologists, but none of them ever saw the body. Is that correct? Except you?

Dr. BEYER. That's correct.

Senator FAIRCLOTH. That's correct?

Dr. BEYER. Yes, sir.

Senator FAIRCLOTH. He devoted 70 pages to the biographies of people who never saw the body.

Dr. BEYER. That's correct.

Senator FAIRCLOTH. Dr. Beyer, your autopsy report indicates that you took X-rays of Mr. Foster.

Dr. BEYER. I had anticipated taking them, and I had so stated on one of my reports.

Senator FAIRCLOTH. Your autopsy report says you took X-rays of Mr. Foster. Did you?

Dr. BEYER. No, sir.

Senator FAIRCLOTH. Why did you say you did if you didn't?

Dr. BEYER. As I indicated, I made out that report prior to actually performing the autopsy. We'd been having difficulty with our equipment, and we were not getting readable X-rays. Therefore, one was not taken.

Senator FAIRCLOTH. What was wrong with the X-ray machine?

Dr. BEYER. We had a new machine; we had new grids; and we had a new processor. We were having a number of problems.

Senator FAIRCLOTH. Why didn't you call Fairfax Hospital and arrange for a portable X-ray machine to be brought in for your use in such an important occasion?

Dr. BEYER. Because this was a perforating gunshot wound. If it had been a penetrating one, I would have gotten an X-ray of the head.

Senator FAIRCLOTH. Do what, now?

Dr. BEYER. If it had been a penetrating gunshot wound, then an X-ray would have been a requirement.

Senator FAIRCLOTH. Well, was it not "penetrating"?

Dr. BEYER. No, sir. It was perforating.

Senator FAIRCLOTH. What did it do?

Dr. BEYER. It was in and out.

The CHAIRMAN. Do I understand you to say that the terminology you use when it is done in that way is it is a perforating wound, as opposed to a penetrating wound? Is that what you are saying?

Dr. BEYER. "Perforating" indicates a wound of entrance and exit.

The CHAIRMAN. Right.

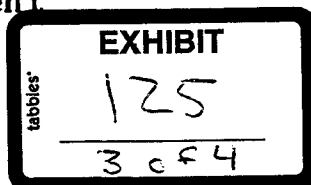
Dr. BEYER. "Penetrating" is a wound of entrance with retention of the missile.

The CHAIRMAN. I see.

Senator FAIRCLOTH. Is it your standard procedure to make out an autopsy report before you do the autopsy?

Dr. BEYER. I don't complete the autopsy report. I complete papers that I am going to use.

Senator FAIRCLOTH. The papers are the autopsy report, aren't they?



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Dr. BEYER. To me the autopsy report is the first and second page, which includes my findings.

Senator FAIRCLOTH. But you make this out before you do the autopsy?

Dr. BEYER. This particular form I did, yes.

The CHAIRMAN. Now excuse me. Would you yield—well, I will wait until you finish.

Senator FAIRCLOTH. Did you or the Medical Examiner's office have your servicing company come in and fix the X-ray machine?

Dr. BEYER. We were trying to remedy our problems. At that particular time we were not getting readable X-rays.

Senator FAIRCLOTH. When was it repaired?

Dr. BEYER. I have no X-rays in my files between July 6 to the 26. After July 26, 1993, we were getting X-rays.

Senator FAIRCLOTH. You mean for 20 days you ran a coroner's office and did autopsies without an X-ray machine?

Dr. BEYER. We don't take X-rays on very many cases. Primarily only gunshot cases.

Senator FAIRCLOTH. The Park Police officers who were present at the autopsy said you told them not only was an X-ray taken, you also told them the results of the X-ray. How do you account for the contradiction?

Dr. BEYER. I have no explanation because I did not take an X-ray.

Senator FAIRCLOTH. How did you tell the Park Police the results of an X-ray that you didn't take?

Dr. BEYER. I don't recall telling them that statement.

Senator FAIRCLOTH. Well, they do.

Dr. BEYER. I have no explanation.

Senator FAIRCLOTH. Has Robert Fiske ever talked with you?

Dr. BEYER. No, sir.

Senator FAIRCLOTH. Robert Fiske has never talked to you?

Dr. BEYER. No, sir.

Senator FAIRCLOTH. So needless to say, Robert Fiske didn't ask you about the contradiction between you reporting what the X-ray showed that was not taken.

Dr. BEYER. The people on his staff that came to visit me, that explanation was given to them.

Senator FAIRCLOTH. What was the explanation?

Dr. BEYER. The equipment was not working, and I saw no need to take an X-ray.

Senator FAIRCLOTH. You saw no need to take an X-ray?

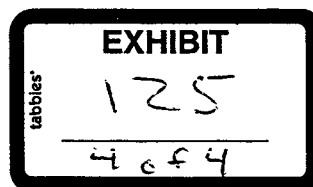
Dr. BEYER. No, sir.

Senator FAIRCLOTH. How did Robert Fiske decide to believe you instead of the police report or autopsy report? Did he send investigators to the hospital, or to the company that services the X-ray machine?

Dr. BEYER. Not that I'm aware of.

Senator FAIRCLOTH. Dr. Beyer, your report indicates that the blood samples that you provided the toxicologists had no traces of drugs in it. Yet, when the FBI lab tested Mr. Foster's blood, they determined that there were traces of antidepressant drugs in his system. Did Robert Fiske ask you about this contradiction?

Dr. BEYER. No, sir.



000508

**DEPOSITION OF  
SERGEANT ROBERT ALLEN RULE  
IN RE: S. RES. 229**

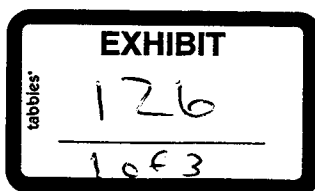
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**TUESDAY, JULY 26, 1994**

U.S. SENATE,  
COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS,  
*Washington, DC.*

Deposition of SERGEANT ROBERT ALLEN RULE called for examination pursuant to notice of deposition, at 4:10 p.m. in the Dirksen Senate Office Building, Room G-59, before LISA N. BENCHOFF, a Notary Public within and for the District of Columbia, when were present:

GLENN F. IVEY, Esq.  
Majority Counsel  
ROMAN E. DARMER, III, Esq.  
IRA PAULL, Esq.  
PAUL GOLDENBERG, Esq.  
Minority Counsel  
Committee on Banking, Housing, and Urban Affairs  
U.S. Senate  
On behalf of the Committee.



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1 is, you know, it is nice to have the investigators that  
2 actually worked the crime scene go to the autopsy whenever  
3 possible but it is not essential. So I called Investigator  
4 Rolla at home and told him that hey, they are going to do  
5 the autopsy today if you can get in, fine. I could just  
6 tell talking to him on the phone he was beat and then I  
7 became a little concerned that he might have an accident  
8 and really at that point when somebody is that tired, to  
9 bring them in and send them through something, chances are  
10 they are going to make a mistake and not do as good a job  
11 as somebody who was fresh.

12 So I felt that I was fairly well briefed on the  
13 initial part of the investigation. Investigator Jim  
14 Morrissette and myself went to the autopsy later that  
15 morning, I think it was around 10:00. We took two ID  
16 technicians with us, Wayne Johnson was one of the ID techs  
17 and Shelly Hill. I think Wayne Johnson was in training at  
18 that time, too, so Shelly Hill was basically as the senior  
19 ID tech.

20 Q And were you present during the autopsy?

21 A Yes, I was.

22 Q Did you take any clothes or any other items from

1 the --

2 A I did not personally, they were given to the ID  
3 techs. Any recovery of evidence as far as if there had  
4 been a bullet recovered or anything with regards to  
5 physical evidence that is taken from a body in a postmortem  
6 is taken by an ID technician, that is the standard practice  
7 for the police department.

8 Q Did anything unusual happen during the autopsy or  
9 anything that sticks out in your mind?

10 A No, nothing unusual.

11 Q Do you know if x-rays were taken?

12 A I didn't see any x-rays taken at that time, no.

13 Q Is that unusual?

14 A No, that's not unusual. I mean, they -- if they  
15 don't -- if they are not satisfied with their initial  
16 investigation or if something comes up that is unusual then  
17 I guess they would take an x-ray but of the autopsies that  
18 I have been to since, which is several, it is not a common  
19 thing.

20 Q What did you do after the autopsy?

21 A After the autopsy we responded back to the office  
22 at that point and, again, this was just one of the my

EXHIBIT

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2 of 3

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1 A I don't recall if it was the ID tech, that's  
2 generally who does it. A detective will usually do some  
3 kind of rough diagram for himself but a more detailed one  
4 is often done by the ID technician.

5 Q What's important about a diagram, why is that  
6 helpful?

7 A It is going to give you the layout of the body,  
8 the direction that it is pointing in, it will also indicate  
9 where the gun is, any other items of evidence.

10 Q What did you take with you to the autopsy?

11 A I didn't take anything except myself. Detective  
12 Morrissette or Investigator Morrissette took -- I think he  
13 took -- no, I guess he didn't take a camera because there  
14 was two ID technicians, they took a camera, I think he just  
15 came by himself.

16 Q Did anyone bring the pictures of the death scene?

17 A I don't know if Investigator Morrissette brought  
18 them with him or not. To be honest with you I don't  
19 recall.

20 Q Would you ordinarily expect that those pictures  
21 would be taken with you?

22 A No, that is not -- it is not necessary that they

1 be there. I mean if he has any questions about it, you  
2 know, you could show them to clarify it but usually any  
3 questions he has you could answer just by, you know --

4 Q Had the ID techs who attended the autopsy read  
5 Officer Simonello's report before they went to the autopsy?

6 A I don't know.

7 Q Had you read the report filed by Officer  
8 Simonello?

9 A I don't think I read anything -- any reports  
10 written by Simonello at that point.

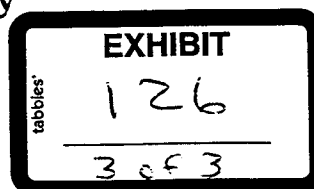
11 Q Did you meet with Dr. Byers before the autopsy?

12 A No.

13 Q Do you remember any kind of conversations that  
14 you had during the autopsy?

15 A One. I asked just the name of his assistant and  
16 Dr. Byers is kind of an older guy and very experienced and  
17 he put me in my place very quickly, he says you are dealing  
18 with me here, you don't need his name. So we kind of knew  
19 where he was -- Dr. Byers is very nice guy but he is all  
20 business.

21 Q Do you recall whether the assistant was actually  
22 participating in the autopsy?





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NATIONAL PARK SERVICE

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

JUVENILE CASE 0

|                                         |                            |           |             |            |                                |
|-----------------------------------------|----------------------------|-----------|-------------|------------|--------------------------------|
| STATE AREA<br>CLMP Ft. Marcy            | MONTH<br>07                | DAY<br>20 | HR<br>09:30 | YEAR<br>93 | CASE/INCIDENT NUMBER<br>030502 |
| TYPE OF INCIDENT<br>Death Investigation | CLASSIFICATION OF INCIDENT |           |             |            |                                |

RESULTS OF INVESTIGATION

On 7/21/93 Sgt. [Rule,] I.D.Tech's [Johnson] and [Hill,] and the undersigned responded to the officer of the Medical Examiner in Fairfax Va. At this time we met with Dr. Byer. After briefing him with the available information surrounding the crime scene and the victim he started the autopsy on the victim. Prior to our arrival the victim's tongue had been removed as well as parts of the soft tissue from the pallet. Dr. Byer stated that there was evidence of gunpowder residue on the soft tissue but not on the tongue.

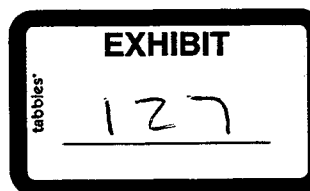
Dr. Byer pointed out what he thought to be gunpowder residue on the right hand forefinger of the victim. I supplied him with a picture of the crime scene in which the suspected residue was evident.

During the autopsy Dr. Byer noted that the bullet trajectory was "upward and backward" exiting in the center line of the back of the head. Dr. Byer stated that X-rays indicated that there was no evidence of bullet fragments in the head.

Dr. Byer stated that it appeared that the victim had eaten a "large" meal which he believed to have occurred within 2-3 hours prior to death. He was unable to state positively what type of food was consumed but stated the it might have been meat and potatoes.

The cause of death was determined to be "perforated gunshot wound in and out". The point of entry was in the back of the mouth with the exit in the back of the head. Autopsy concluded at 1105 hrs.

Hair and blood samples as well as fingerprints were taken from the victim by Dr. Byer and turned over to I.D.Tech [Johnson.] In addition, I.D. took custody of the victim's clothing.



|                   |         |            |              |               |
|-------------------|---------|------------|--------------|---------------|
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| REPORTING OFFICER | AGENCY  | DATE       | INVESTIGATOR | DATE          |

000512

**DEPOSITION OF JAMES C. BEYER  
IN RE: S. RES. 229**

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**WEDNESDAY, JULY 13, 1994**

**U.S. SENATE,  
COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS,  
Washington, DC.**

Deposition of JAMES C. BEYER, called for examination pursuant to notice of deposition, at 9:30 a.m. in Room SC-06 of the Capitol, before JULIE BAKER, a Notary Public within and for the District of Columbia, when were present:

**GLENN F. IVEY, Esq.**

Majority Counsel

**ROMAN E. DARMER, III, Esq.**

**JULIE FALLON, Esq.**

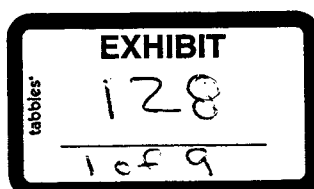
Minority Counsel

Committee on Banking, Housing, and Urban Affairs

U.S. Senate

On behalf of the Committee.

**ALSO PRESENT: PAUL GOLDENBERG**



000513

1 office who called me.

2 Q Did you review any notes or any type of documents  
3 or reports in preparation for this deposition?

4 A I made a copy of the autopsy report and brought  
5 it with me, but other than that, no other preparation.

6 Q When you were doing the autopsy, did you take  
7 written notes, or did you dictate notes?

8 A The only written notes we take at the time are  
9 the weights of organs.

10 Q Is there anybody, anyone else in your office who  
11 you discussed this case with or may have helped you in  
12 typing the autopsy report or preparing the autopsy report?

13 A Well, the report is typed by our staff. Other  
14 than that, I have no discussion with anybody else.

15 Q As the deputy chief medical examiner, are there  
16 other medical personnel that work under you?

17 A I have an associate pathologist who works with  
18 me.

19 Q Who is that?

20 A Dr. Francis Field, F-i-e-l-d.

21 Q Francis, c-i-s or c-e-s --

22 A F. F-i-e-l-d.

1 Q I mean the first name.

2 A C-i-s.

3 Q Did Dr. Field participate in this autopsy in any  
4 way?

5 A No.

6 Q Did she participate in preparing the report in  
7 any way?

8 A No.

9 Q Did you discuss the case with her at all?

10 A Only at the time when the people from Fiske's  
11 office came for a meeting.

12 Q Do you remember the substance of that  
13 conversation?

14 A I told her we were going to have a meeting and  
15 she was present during the meeting.

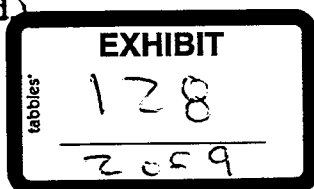
16 Q Did you have a chance to look at Mr. Fiske's  
17 report on the death of Mr. Foster?

18 A I have reviewed it.

19 MR. IVEY: Can you mark this for me, please. I  
20 think we're at 3.

21 (Beyer Exhibit 3 identified)

22 BY MR. IVEY:



1 It's extremely difficult to inflict that by any other  
2 means.

3 Q Why is that?

4 A Most people do not allow a muzzle of a weapon to  
5 be placed in their mouth without some signs of struggle.

6 Q Did you spot any signs of struggle in this case?

7 A None.

8 Q What other information did you look to in this  
9 case?

10 A The police telling me that he was found with a  
11 weapon in close vicinity to the body.

12 Q Any other information?

13 A No.

14 Q Did they discuss details about the position of  
15 the body, when it was found and where it was found and that  
16 type of information?

17 A Only the location where it was found.

18 Q Did they say anything about having any type of  
19 suicide notes or conversation with his family or anything  
20 like that at the time you did the autopsy?

21 A There was no indication that a suicide note was  
22 present or had been located. And at the time we did the

1 autopsy, no other information was available.

2 Q Is there anything you'd like to change about the  
3 statement you've given or add to any of the comments you've  
4 made so far?

5 A None that I'm aware of.

6 Q I would ask at this time -- they're going to ask  
7 questions but when the deposition is over, I'd ask that you  
8 not discuss your testimony.

9 A I normally don't.

10 EXAMINATION

11 BY MR. DARMER:

12 Q Dr. Beyer, when did you first learn about a  
13 suicide note in this case?

14 A I didn't know there was a suicide note. I  
15 certainly didn't know of it at the time I did the autopsy.

16 Q What exactly were you told about the location of  
17 where the body was found before you did the autopsy?

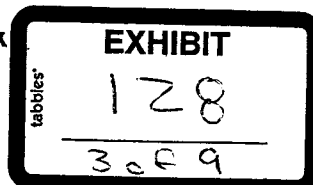
18 A Only the physical location.

19 Q And what was that?

20 A That it was Marcy Park off of the GW Parkway.

21 Q Do you remember who told you that?

22 A I initially learned of that from the Fairfax



1 county medical examiner who was notified by the police and  
2 who then notified me, and that was again verified by the  
3 Park Police at the time of the autopsy.

4 Q Who was the Fairfax County medical examiner who  
5 was notified by the police?

6 A Dr. Donald Haut, H-a-u-t.

7 Q When did he notify you?

8 A I don't have the exact time but sometime on the  
9 morning of the 21st of July 1993. I don't have that paper.

10 Q Did he notify you in his office?

11 A At what?

12 Q Did he notify you at your office?

13 A Yes, sir.

14 Q Could you describe what he said to you and what  
15 you said to him.

16 A That he had an individual who had sustained a  
17 gunshot wound and the body was at Fairfax Hospital. and I  
18 told him we would do an autopsy.

19 Q Did you know whether any kind of forensic  
20 examination had been done on the scene?

21 A No.

22 Q Did you ask Dr. Haut any questions about what he

1 did at the scene?

2 A He doesn't do anything except identify the fact  
3 that there is an individual. do they have an identification  
4 on them and what is the probable cause of death.

5 Q What did Dr. Haut tell you was the probable cause  
6 of death?

7 A It appeared to be a gunshot wound.

8 Q Did he say that it was a suicide?

9 A Not at that time, no.

10 Q Did you ever see a written report reflecting what  
11 Dr. Haut told you?

12 A We have his report of investigation.

13 Q Did you have that at the time of the autopsy?

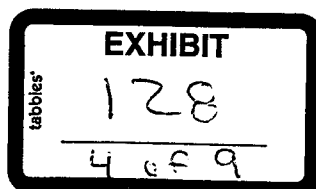
14 A No.

15 Q Did you have any further conversations with  
16 Dr. Haut after the autopsy was completed?

17 A His office probably called in and wanted to know  
18 what the cause of death was and it was given to him. which  
19 is the usual procedure.

20 Q When exactly did you determine what the cause of  
21 death was?

22 A At the time of the autopsy.



1 autopsy in your office?

2 A It's dependent upon the availability of the  
3 pathologist.

4 Q So it could be -- how many pathologists are there  
5 in your office?

6 A Two counting myself.

7 Q And the other being Dr. Field?

8 A That's correct.

9 Q And would it be a decision that you would make or  
10 that you would make in conjunction with Dr. Field?

11 A There's no real decisionmaking. If there's an  
12 autopsy to be done, whoever is available does it and  
13 normally, we do them together.

14 Q Do you consult with the chief medical examiner in  
15 terms of who does the autopsy?

16 A No requirement.

17 Q Doctor, have you ever done an autopsy of a  
18 high-profile individual before?

19 A I don't normally keep track of them, but I  
20 imagine that I have.

21 Q And do you know if there are any standard  
22 operating procedures or protocols in your office concerning

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1 autopsies of that sort?

2 A Doesn't make any difference whether they're a  
3 high-profile individual or someone of a lesser degree.  
4 They're all handled in the same manner.

5 Q You mentioned in some cases where the media might  
6 be involved, you sometimes contact the chief medical  
7 examiner at Richmond; is that right?

8 A I've never done that.

9 Q Is there a procedure that would require you to  
10 contact the chief medical examiner in any particular case?

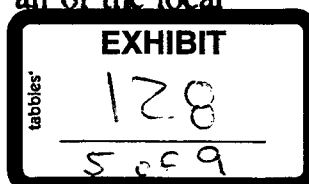
11 A None.

12 Q Doctor, have you ever done an autopsy in the case  
13 of a suicide of a high-profile individual?

14 A I don't know what your definition of high-profile  
15 individual is. We handle them all in the same manner.

16 Q Doctor, did you personally make the determination  
17 that the Park Police should be present during the autopsy?

18 A That's a requirement of my office. Any time you  
19 have a gunshot wound and particularly one that might be of  
20 a suspicious character, the police have to be present  
21 during the autopsy. That holds true for all of the local  
22 jurisdictions, including the Park Police.



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1 Q Is that a written policy?

2 A No. It's been a stated policy over the years.  
3 They're all aware of it.

4 Q Do you know if Officer Morrissette brought  
5 anything with him to the autopsy?

6 A I don't keep a record of what they bring with  
7 them.

8 Q Do you remember if he brought anything with him?

9 A I have no notes or recollection.

10 Q Is there anything in the file at the office that  
11 would help you to recall?

12 A No.

13 Q Doctor, you referred to the diagrams that you did  
14 in connection with the autopsy. Did you draw those  
15 diagrams?

16 A During the performance of the autopsy.

17 Q Did you show those diagrams to Officer  
18 Morrissette?

19 A Not -- if he wanted to see them, I showed them to  
20 him but I have no recollection whether he asked to see  
21 them. They received a copy of the autopsy once it was  
22 finalized.

1 Q Was there conversation during the autopsy between  
2 Dr. Field, Officer Morrissette and yourself?

3 A Dr. Field was not present.

4 Q Excuse me, between Officer Morrissette and  
5 yourself.

6 A I indicated to him where the entrance wound was,  
7 where the exit wound was, and I thought there was a strong  
8 suspicion of powder debris around the entrance site.

9 Q Did he respond?

10 A Nothing unusual, no.

11 Q Did you show him the diagrams as they were  
12 drawing them?

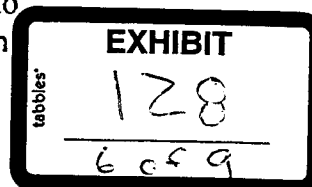
13 A If he wanted to see them, he could see them.

14 Q Did he give you any input into the diagram?

15 A No. I make the diagrams.

16 Q Doctor, you mentioned that the X-ray machine  
17 wasn't working during this particular autopsy. Is there an  
18 X-ray machine in the room where autopsies are performed?

19 A There's one available in the autopsy suite. We  
20 had a new machine. It had not been operating properly. As  
21 I say, if I wanted to get an X-ray, I would have had to  
22 send the body back to another installation, which then



1 Q Why was the chief medical examiner at the scene.  
2 at the interview with the pathologists working with  
3 Mr. Fiske?

4 A Thought it might be appropriate, since those  
5 people were there, that she would be present.

6 Q Did you make that request that she be present?

7 A Yes.

8 Q Did you attempt a time of death analysis in the  
9 autopsy?

10 A No.

11 Q Why not?

12 A Number one, the body had been taken to a local  
13 hospital, put in their reefer and transported over to my  
14 place, so the usual findings are no longer present of any  
15 accurate degree.

16 Q Do you know if Dr. Haut attempted to make a time  
17 of death analysis at the scene?

18 A No, I do not.

19 Q Doctor, is it standard operating procedure not to  
20 attempt a time of death determination in an autopsy of this  
21 sort?

22 A It's difficult in most of our cases because

1 they're generally stored in a refrigerated area prior to  
2 the time I see them, which would alter any of the usual  
3 procedures for time of death.

4 Q What are the procedures for determining time of  
5 death, Doctor?

6 A Rigor, livor.

7 Q Did the Park Police request that you estimate the  
8 time of death?

9 A Not that I'm aware of.

10 Q Do law enforcement personnel generally request  
11 that you provide a time of death in your autopsy report?

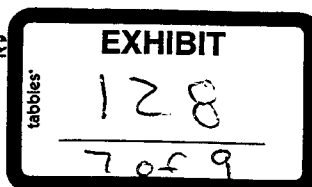
12 A No.

13 Q Is it your practice never to provide a time of  
14 death analysis in your autopsy reports?

15 A We may assist them if it appears to be of a  
16 critical nature. Other than that, we don't put anything in  
17 the autopsy report.

18 Q What would your definition of a critical nature  
19 be?

20 A If one had a case where a body -- there was no  
21 definite information concerning when the individual had  
22 last been seen, who had contact with him, who had a phone





1 call with him, any indication about the last time they had  
 2 intake of food and they were found under suspicious  
 3 circumstances, then there might be some indication for  
 4 attempting to make an estimate of time of death.

5 Q Do you think any of those factors were present in  
 6 this case?

7 A Not that I was aware.

8 Q Did you subsequently become aware of whether any  
 9 of those factors were present in this case?

10 A I made no determinations.

11 Q And you had no conversations with any law  
 12 enforcement personnel concerning those factors?

13 A That's correct.

14 Q Doctor, are you aware of any standard operating  
 15 procedures whereby the medical examiner on the scene would  
 16 ordinarily make a time of death analysis?

17 A In our system, the medical examiner normally goes  
 18 to the scene just to determine that there is an individual  
 19 there and attempt at their approximation of the cause of  
 20 death and attempt, if possible, the identification of the  
 21 individual, and that is the extent of their investigation.

22 Q Does the attending medical examiner make findings

1 concerning rigor, livor, other indicia at the time of  
 2 death?

3 A No.

4 Q Who does Dr. Haut report to, if you know?

5 A My office.

6 Q And you said he doesn't file any report on his  
 7 experiences at the scene of a death?

8 A He submits a report of investigation.

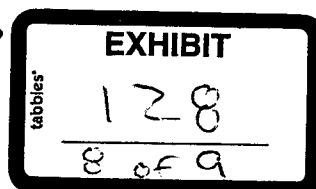
9 Q And again, perhaps you've testified earlier, but  
 10 what exactly is in that report?

11 A Name of the individual, address, Social Security  
 12 number, employment, when the medical examiner was notified  
 13 by either the police, the rescue squad or the hospital,  
 14 when and where they saw the body and a short statement  
 15 concerning the circumstances under which the body was  
 16 found, and they then insert at some time the cause of death  
 17 and manner of death, if that can only be determined by  
 18 autopsy.

19 Q And did you have that report of Dr. Haut filed in  
 20 hand before the autopsy?

21 A No.

22 Q When did he finalize or file that report?



1 Q And what might that information be?

2 A Certain other toxicology tests or serological  
3 tests that might be indicated.

4 Q Could you be a little bit more specific, Doctor,  
5 about what kind of tests. I just don't understand what you  
6 just said.

7 A Further analysis of blood.

8 Q And what might be the situations in which those  
9 kinds of further analyses of blood would be requested, for  
10 example?

11 A If the police thought they would be of a critical  
12 nature in their investigation.

13 Q And the same might be true of other analyses of  
14 other body fluids or other body tissue?

15 A That's correct.

16 Q Doctor, did you notice any semen or ejaculate in  
17 the course of the autopsy?

18 A I made no record of such.

19 Q And if you had seen it, you would have made a  
20 record of it?

21 A Normally, no, because you see it in almost every  
22 autopsy.

1 Q Why is that, Doctor?

2 A Because when men die by various means, they may  
3 have a terminal ejaculation and you'll see semen at the tip  
4 of the penis.

5 Q And it's not related to traumatic death  
6 necessarily?

7 A It can be related to traumatic or natural.

8 Q But you'd expect to see it in almost every death  
9 of a male?

10 A It really has no significance.

11 Q Doctor, I'd like to refer to the charts attached  
12 to your autopsy, particularly the two of the head. I think  
13 you indicated that page 4 of the autopsy indicates the  
14 entrance and page 5 depicts the exit --

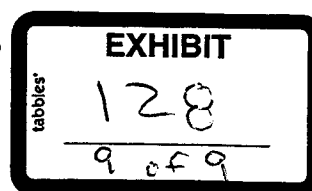
15 A That's right.

16 Q -- from the skull. Doctor, do you know what type  
17 of cartridge was involved in this case?

18 A At the time I did the autopsy, no, sir.

19 Q Would that have been information you normally  
20 would have had in an autopsy, in a violent death situation?

21 A Depending upon the circumstances, whether that  
22 information was available to the police when they came to



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Thursday, March 31, 1994, 11:15 AM-1:00 PM

Interview with Dr. James C. Beyer, Deputy Chief Medical Examiner,  
Northern Virginia District

Present at interview:

Mr. Lankler, Mr. Norman, Dr.  
Fierro, Dr. Field, Dr. Stahl, Dr. Luke.Autopsy of Vincent W. Foster, Jr., July 21, 1993

Time autopsy commenced: Approximately 10 AM, July 21, 1993.

Individuals present at autopsy: Per autopsy report.

Identification by fingerprints. Height measured, body weighed.

Clothing:

General: Clothing intact and without evidence of tearing or soiling, save for blood staining.

Shirt: Open at the collar. No obvious evidence of gunpowder residue or blood spatter at chest portion or sleeves.

Pants: Zipped and belted. Otherwise unremarkable.

Underclothes: No stains or defects.

Shoes/socks: Not remarkable.

External Examination

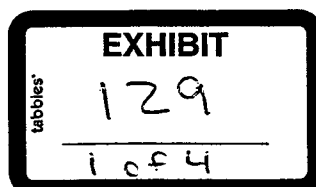
EMT intervention: No evidence of intervention. No endotracheal tube or airway. No venapuncture sites or EKG patches.

Signs of death: Rigor present and complete. Lividity noted posterior.

Postmortem changes: None. No blow fly eggs present.

Face: No evidence of trauma. No evidence of gunpowder residue, soot or stippling. Dried blood present on right side of face, per diagram and scene photographs. No evidence of stretching abrasions, contusions or lacerations.Conjunctivae: No evidence of blood spatter, gunpowder residue, hemorrhage or petechiae.Nose: Unremarkable.Lips: No evidence of trauma externally or on examination of the buccal labial surfaces. No gunpowder residue identified.

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Teeth: Intact. No evidence of fractures or chipping. No  
gunpowder residue identified.

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Mandible: Intact on gross examination

Hard palate: Intact and without evidence of gunpowder residue.

Soft palate: Pathology per autopsy report. Entrance wound at central midline soft palate, 7 1/2 inches below top of head, directly beyond junction with hard palate. Abundant gunpowder residue, with contusion hemorrhage.

Bullet course: Penetrates skull, to left of foramen magnum. Internal bevelling not appreciated. Penetrates brain stem (medulla) and medial aspect of left cerebral hemisphere. No gunpowder residue noted to involve skull, dura or central nervous system. Exit through comminuted central occipital skull defect at posterior occiput. Cross-hatched area in diagram represents fragments of bone not identified. Scalp exit wound stellate, measuring 1 1/4 x 1 inch, located 3 inches below top of head. No evidence of shoring at exit site.

Other skull fractures: Symmetrical, linear fractures of anterior aspects of posterior fossa, extending through sella turcica and coursing across both parietal regions of calvarium diagonally, anterior left to posterior right. Linear fracture extending from bullet exit site at occiput terminates at central left parietal fracture line.

Upper extremities:

Hands: No evidence of trauma. Fingernails intact and without evidence of tearing. Fingernails not scraped. Dark colored, foreign material consistent with gunpowder present at lateral aspects of index fingers, in greater quantity on right than left.

Forearms/arms: No trauma.

Lower Extremities:

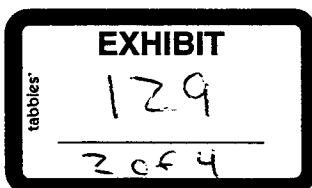
Feet/legs: Unremarkable

Abdomen: Right lower quadrant surgical scar.

Back: Unremarkable

Genitalia: No evidence of trauma or other abnormality.

Anus: No evidence of trauma or other abnormality.



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Internal Examination

Pericardium: No pathology.

Pleural cavities: No pathology.

Peritoneum: No pathology.

Heart: weight 350 gm. No significant atherosclerosis or luminal compromise of coronary arteries. Cardiac valves intact and normal. Myocardium demonstrates no evidence of pathology.

Aorta: Minimal atherosclerosis.

Lungs: weight, left 840 gm., right 870 gm. Congestion and edema, with aspiration of blood into lower respiratory tract.

Neck: No evidence of trauma. Strap muscles unremarkable. Thyroid cartilage and hyoid bone intact and normal. Thyroid gland unremarkable.

GI tract:

Tongue: No evidence of gunpowder residue on surface or of contusion on sectioning.

Stomach: Contains an unspecified amount of partially digested food whose specific character cannot be determined. No identifiable food material is present.

Small intestine/large intestine: Unremarkable.

Liver: weight 1640 gm. Dark red brown, with no gross evidence of fatty change or other pathology. Gallbladder normal.

Pancreas: Unremarkable.

Spleen: weight 130 gm. No evidence of trauma.

Adrenal glands: Unremarkable.

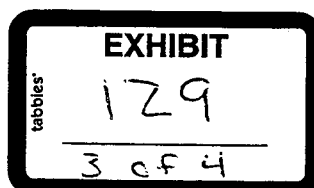
Kidneys: weight, left and right 140 gm. each. No pathologic abnormalities.

Bladder: Contains an unspecified amount of clear yellow urine.

Prostate gland: Unremarkable on section.

Testes: Not examined.

Scalp: No evidence of trauma other than that associated with the point of entry and exit at the midline occiput.

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Skeletal system: No evidence of trauma. The ribs, vertebral column and pelvis are intact and normal. The skull fractures associated with the bullet wound trauma have been previously described.

Brain: weight 1420 gm. No evidence of trauma other than that associated with the bullet wounds of midbrain and left cerebral hemisphere. No other pathology noted.

Toxicology: Blood, vitreous fluid, liver and urine submitted. No alcohol or other drugs identified.

Other laboratory analyses: None.

Documentation:

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Diagrams: Included with autopsy report.

Photographs, polaroid: 13

35 mm: 14

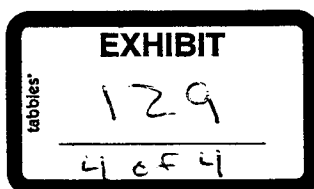
X-ray: None, machine inoperative at time of autopsy.

Microscopic slides: 5 slides. Includes 13 sections of soft palate, 4 sections of brain, and one section each of heart, lung and liver.

The soft palate sections demonstrate large quantities of black foreign material at the mucosal surfaces, consistent with gunpowder residue. The lung section demonstrates regional intraalveolar hemorrhage. The sections of heart and liver reveal no significant pathology.

Paraffin blocks: 5 blocks, 3 of soft palate.

Time autopsy completed: Approximately 11 AM, July 21, 1993.



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**FORENSIC PATHOLOGY AND MEDICAL EXAMINER-RELATED FINDINGS AND  
CONCLUSIONS PERTAINING TO THE INVESTIGATION OF THE DEATH OF  
VINCENT W. FOSTER, JR.**

We were provided unrestricted access to all available investigative and scientific information and materials regarding the death of Vincent W. Foster, Jr., including information developed by the United States Park Police, the Federal Bureau of Investigation and the FBI Laboratory, the Office of the Chief Medical Examiner, Commonwealth of Virginia, and its Northern Virginia District Office, and the Office of the Independent Counsel. We examined photographs taken at the scene of death and during the course of the postmortem examination, and microscopic slides prepared from tissues obtained at autopsy. We discussed the investigative and scientific findings of the case with the investigative and laboratory personnel responsible for each aspect of the investigation.

The analysis and conclusions of our review, as discussed below, were arrived at separately and independently by each of us.

**ISSUES AND CONCLUSIONS**

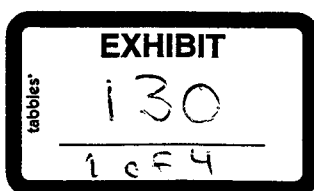
**1. CAUSE AND CIRCUMSTANCES OF DEATH**

The bullet wound of Mr. Foster's head and brain, with its vital reaction, represents the definitive cause of his death.

The postmortem findings demonstrated in this case are typical and characteristic of such findings in deaths due to intentional self-inflicted intraoral gunshot wounds. Following complete postmortem examination, there was no other trauma identified that would suggest a circumstance other than suicide. In addition, it is exceedingly unlikely that an individual of Mr. Foster's physical stature (6 feet 4 1/2 inches in height, 197 pounds in weight) could have been overcome by an assailant inflicting an intraoral gunshot wound without a struggle and there not to have been some other injury sustained at the time.

**2. BULLET PATH**

The large quantity of gunpowder residue present on microscopic sections of the soft palate indicates that Mr. Foster placed the barrel of the weapon into his mouth with the muzzle essentially in contact with the soft palate when he pulled the trigger. Recovery of Foster's DNA type from the muzzle of the revolver by the FBI Laboratory is strong supportive evidence that associates the weapon with the deceased. The absence of visible blood on the revolver is not inconsistent with the self-inflicted



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bullet wound he sustained. Visual or chemical identification of blood on the weapon in gunshot wound suicides is a common but by no means universal finding. There were no flame burns from the muzzle blast identified within the mouth, nor would injury of such type necessarily be expected.

The bullet perforated the soft palate and entered the cranial cavity directly to the left of the foramen magnum, traversed the brainstem and the medial aspect of the left cerebral hemisphere and exited through the occipital skull and scalp. This wound caused instantaneous, complete incapacitation, followed by clinical death within a matter of minutes. There was a secondary, ring-like fracture of the skull, a common associated finding in such cases, that extended symmetrically from the base of the skull across the calvarium.

### 3. LOCATION OF FATAL EVENT

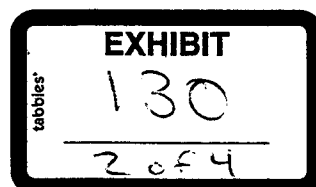
It is our opinion that the death occurred where the body was found at Fort Marcy Park, Virginia. The relatively pristine nature of the exposed skin surfaces of the deceased and of his clothing precludes any other scenario. Substantially greater contamination of skin surfaces and clothing by spilled and/or smeared blood would have been unavoidable, had the body been transported postmortem to the place where it was found. Precisely such contamination was, in fact, documented following actual transport of the body from the scene of death to Fairfax Hospital, and from there to the medical examiner's office. There was no such contamination when the body was examined and photographed at the scene.

### 4. TIME OF DEATH

Given the limitations of available information, it is not possible further to define the postmortem interval than within the broad range of when the deceased was last seen alive to the time the body was discovered.

### 5. TOXICOLOGY

Toxicological examination by the FBI Laboratory of blood obtained at autopsy revealed trace amounts of trazodone and small quantities of diazepam (Valium) and its metabolite, nordiazepam. The finding of trazodone, an antidepressant, confirms the history of Foster's taking a single tablet the evening prior to his death from a prescription ordered by his doctor earlier that day. There was no alcohol or any other toxic substance in Foster's body.



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**CONFIDENTIAL****6. POSITION OF THE BODY**

The deceased was found supine, with his arms and legs extended. Given the steep (approximately 45 degree) slope on which his body was resting, we believe that he was seated when the weapon was discharged. After firing the weapon, because of the sloped terrain, he would have fallen backward, with his arms falling to their respective sides by gravity, aided on the right by the weight of the revolver affixed to his thumb (see below, number 8). Had he been standing, he would not have ended up in the orderly position in which he was found. Had he been lying down, it is likely that the bullet would have been recovered from the ground beneath his head. It was not. Passage of the bullet through the brainstem would have rendered Mr. Foster instantly unconscious and unresponsive.

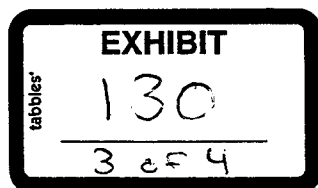
Although the amount of extravasated blood at the scene of death was characterized by some observers as being less than the expected quantity, a pool of blood was, in fact, found under the head of the deceased when the body was turned, and the upper back of his shirt was noted to be blood soaked. These observations notwithstanding, any relative lack of extravasated blood can be readily explained by the position of the body on the steeply inclined slope, with blood settling postmortem to the dependent portions of the body, i.e., below the level of the head wounds, and by the prompt cessation of cardiovascular activity incident to the bullet defect of the brainstem.

**7. POSITION OF THE HEAD**

According to multiple observers at the scene, the head was facing forward when Foster's body was found, an observation confirmed in scene photographs. There were linear blood stains coursing across the right side of the face, emanating from the nose and mouth. A broad transfer-type blood smear was present at the right side of the chin and neck, precisely corresponding to a similar blood stain of the right collar area of the shirt. For obvious reasons, the head must have been facing to the right when the body was found or have been turned to the right when the body was being examined at the scene. In either circumstance, blood accumulated in the nose and mouth from the bullet defect of the soft palate and base of the skull would have spilled over the face and soiled the right shoulder and collar of the shirt. The finding of the head facing forward and the right sided blood stains are mutually exclusive. We conclude that a rightward tilt of his face was changed to a forward orientation by one of the early observers before the scene photographs were taken.

**8. POSITION OF THE WEAPON**

Scene and autopsy photographs demonstrate that Mr. Foster's right thumb was trapped and compressed between the trigger and



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the front of the trigger guard. In addition, there was gunpowder residue on the surface of his right index finger facing the thumb, extending from the distal joint to the web area of the thumb and, according to the autopsy report, similar material, but of lesser quantity, at the corresponding aspect of the left index finger. With the barrel of the revolver placed into the decedent's mouth, the only source of such gunpowder would be the gap between the cylinder and the frame of the weapon. Multiple test firings of the revolver in the FBI Laboratory conclusively demonstrated that gunpowder residue escapes from its cylinder gap. The laboratory studies and the anatomic findings indicate that Mr. Foster's index fingers were in the vicinity of the cylinder gap when the weapon was fired. In addition, flecks of scattered stippled material were observed on the skin surfaces of the lower face in scene photographs and in those autopsy photographs taken before these surfaces were washed. Washing markedly reduced their number. The origin of this material, i.e., whether it represents gunpowder residue, blood spatter or some other foreign material, is uncertain.

**SUMMARY**

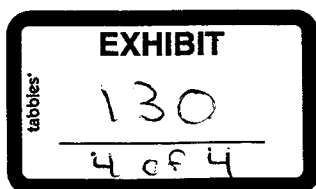
We conclude that Mr. Foster died from a self-inflicted bullet wound delivered with suicidal intent and that the death occurred where the body was found, at Fort Marcy Park, Virginia.

Charles S. Hirsch, M.D.  
Chief Medical Examiner, City of New York  
New York City, New York

James L. Luke, M.D.  
Department of Environmental Pathology      Investigative Support Unit  
Armed Forces Institute of Pathology      FBI Academy  
Washington, D.C.      Quantico, Virginia

Donald T. Reay, M.D.  
Chief Medical Examiner  
King County (Seattle), Washington

Charles J. Stahl, M.D.  
Armed Forces Medical Examiner  
Armed Forces Institute of Pathology  
Washington, D.C.



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FEDERAL BUREAU OF INVESTIGATION

23 JUL 93 06 15z

*Handwritten initials*

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DE FBIWMFO #0008 2040148

ZNR UUUUU

P 230146Z JUL 93

FM FBI WMFO (1758-WF-187743) (P) (C-4)

TO DIRECTOR FBI/PRIORITY/

BT

UNCLAS


CITE: //3920//

PASS: VCU-CID.

*Handwritten: 67C, 5/12, X, \**

SUBJECT: UNSUB; VINCENT W. <sup>b</sup>FOSTER, JR., DEPUTY WHITE HOUSE COUNSEL TO THE PRESIDENT-VICTIM; 7/20/93; PPSAKA-STAFF MEMBER-PRELIMINARY INQUIRY; OO:WMFO.

RE WMFO TELCALLS TO VCU-CID 7/21/93.

TO CONFIRM REFERENCED TELCALLS, ON 7/21/93, WMFO WAS REQUESTED BY THE U.S. PARK POLICE (USPP), WASHINGTON, D.C. TO ASSIST THEM IN THEIR CURRENT INVESTIGATION OF THE EVENTS LEADING UP TO THE APPARENT SUICIDE OF THE VICTIM. 

67A



1758-WF-187743-1

*(1-vcu)*

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EXHIBIT  
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131  
1 of 3

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[REDACTED]

[REDACTED] THE FBI WAS BEING REQUESTED BY THE USDOJ TO CONTINUE ITS CURRENT COOPERATIVE EFFORTS WITH THE USPP IN THIS MATTER. THIS WAS FURTHER CONFIRMED WITH THE U.S. ATTORNEY'S OFFICE, EASTERN DISTRICT OF VIRGINIA. [REDACTED]

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[REDACTED]

EXHIBIT  
131  
2 of 3

[REDACTED]

67A

THE FAIRFAX COUNTY MEDICAL EXAMINER CONDUCTED AN AUTOPSY OF THE VICTIM ON 7/21/93. PRELIMINARY RESULTS INCLUDE THE FINDING THAT A .38 CALIBER REVOLVER, CONSTRUCTED FROM TWO DIFFERENT WEAPONS, WAS FIRED INTO THE VICTIM'S MOUTH WITH NO EXIT WOUND. POWDER BURNS WERE IDENTIFIED ON ONE HAND OF THE VICTIM. THE RESULTS OF THE TOXICOLOGICAL EXAMINATIONS WILL TAKE FURTHER TIME.

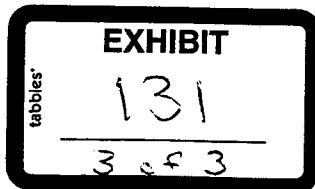
WMFO WILL KEEP FBIHQ APPRAISED OF FURTHER DEVELOPMENTS IN THIS MATTER.

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AFFIDAVIT

1. I am Reed J. Irvine, Chairman of Accuracy in Media, Inc., a nonprofit organization that specializes in critiquing the accuracy of news reporting by the media whose headquarters are at 4455 Connecticut Avenue, N.W., Washington, D.C.

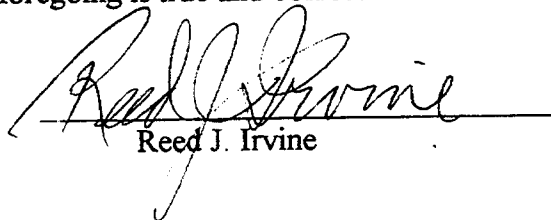
2. With the release on June 30, 1994 of the report of Independent Counsel Robert B. Fiske, Jr. on the death of Vincent W. Foster, Jr. I learned that Dr. James C. Beyer, the Deputy Chief Medical Examiner for the Northern Virginia District, had reported that he had taken no X-rays of Mr. Foster because "the office X-ray machine was inoperable at the time of Foster's autopsy." I also learned from this report that Dr. Beyer had checked on the autopsy form that X-rays had been taken.

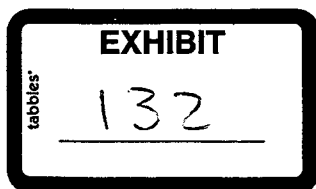
3. On July 11, 1994, I called Dr. Beyer to discuss this inconsistency. He explained that he had checked the form before doing the X-ray, thinking that the machine was operable, and he did not correct the record when he found it was not. On July 12, I called his office and spoke to a Mrs. Gates. She told me that the machine had been installed new in June but that they had trouble with it, and they didn't get it fixed until sometime in August. She would not tell me anything specific about when it was repaired. She referred me to the installer, the Atlantic X-Ray Co. of Virginia Beach, Va. I succeeded in locating the technician who was responsible for installing and servicing this machine, Mr. Jesse Poor. Mr. Poor denied that there had been any trouble with the machine, which he had installed in June 1993. He checked his records and reported that the machine was installed on June 15, 1993 and that the first service call was on Oct. 29, 1993 to make an adjustment to make the pictures darker. The phone number for Atlantic X-ray was 1-800-868-6232.

4. I called Dr. Beyer's office to ask him about this contradictory information, but he did not return my call.

I declare under penalty of perjury that the foregoing is true and correct.

April 23, 1997

  
Reed J. Irvine



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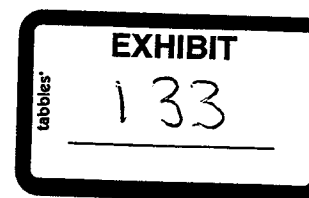
INTERVIEW REPORT

ENT # 93011315 UNIT NO1 SUPP .. SEQ 2 SITE 901 DATE 07/20/93

FOUND A BROWN MALE IN SUIT PANTS AND WHITE SHIRT NO TIE OR COAT LYING  
FEET FIRST DOWN THE HILL THE FIRST PERSON TO REACH HIM WAS THE TECH  
HALL AND PARK PD. I FOLLOWED SECONDS BEHIND THEM I THEN ADVISED FA. PS  
THE SITUATION. WE LEFT PARK PD WITH THE VICTIM AND RETURNED OUR EQUIP  
R UNIT. IN DISCUSSION W/PO HE ASKED HOW MANY CARS WERE OUT IN THE PARK  
GT I SAID 3. 1 AT THE ENTRANCE AND 2 IN THE PARKING LOT. WE ARRIVED BAC  
OUR UNIT AND ASSISTED PD. WHILE IN THE PARKING LOT WE LOOKED FOR VEH. W  
INFO. TO RELATE TO THE FT. ONE VEH. STOOD OUT. THE HONDA. WHICH HAD THE  
HING PARTS TO HIS SUIT, HIS COAT AND TIE. PT ASSESSED VISUALLY LIVIDITY  
SET IN. POOLING OF BLOOD IN THE EXTREMITIES. PT HAD BEEN DEAD APPROX. 2  
PS. PT HAD A WEAPON IN HIS RIGHTHAND

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**CONFIDENTIAL**



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FEDERAL DEPARTMENT OF THE INTERIOR  
NATIONAL PARK SERVICE  
UNITED STATES PARK POLICE

MOBILE CRIME LAB REPORT SUPPLEMENT

OFFENSE/INCIDENT: Death Investigation CASE NO: 30507-67  
 INCIDENT LOCATION: Ft. Marcy DATE: 7-20-93  
 DISTRICT/FIELD OFFICE: D-2 TIME: 1804  
 REPORTING OFFICER: Ferstl MCL# 166-93  
 C.I.B. INVESTIGATOR: \_\_\_\_\_

RESULTS OF INVESTIGATION At the scene the following observations were made by the undersigned:  
 Approximately 20 feet west of the canons axle the body of a white, male, 45 -50yrs., neat appearance, dressed in a white shirt, bluegrey slacks, black dress shoes, was laying face up with the head upslope in an east - west alignment. There was blood staining around the chin area and from the nose down the right cheek. Blood stains also were found on the right shoulder and neck area as well as the right ribcage area of the shirt. The victim's arms were at his sides and the victim had his right hand on a black revolver. The right thumb was trapped between the trigger and inside front edge of the trigger guard. A cursory examination of the victim's hands for blood spatter evidence revealed one droplet on the right index finger, above the second joint. No discernible forward or back spatter blood evidence on the victim's shirtsleeves. I observed dark residue along the edge of the right index finger facing the thumb between the thumb's joint and finger tip. Approximately 13 ft. downslope from the victim's feet (west) I observed a pair of prescription glasses laying on the ground.

After photographing the victim I removed the revolver from the victim's right hand. The victim's hand was flexible with little or no rigor. The thumb was wedged between the trigger and front inside edge of the trigger guard indicating that the hammer was in the cocked position prior to the thumb being inserted. The revolver and pair of glasses were collected as evidence.

The coroner arrived at 1940 hrs. When the body was turned onto its stomach I observed a large area of blood pooled where the head had been resting. The area was photographed and probed for the expended round with negative results. I also observed a larger area of blood where the victim's back had been, coinciding with blood stains on the back of shirt. The pooled blood was beginning to show signs of coagulation. The body was taken by The McLean VFD Unit #4. I transported the weapon to the ID lab where I unloaded it and documented its information and condition onto a USPP Firearms Examination Report (form USPP 123). I then wrapped the barrel in brown paper secured with rubber bands to preserve any blood spatter, blowback, gunpowder residue, hairs, fiber, or tissue evidence. Weapon was placed in sealed evidence bag in the evid. locker to await submission to the FBI labs.

EXHIBIT  
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ID TECHNICIAN: Federick Sisonido DATE: 7-26-93 SUPERVISOR: [Signature] DATE: 7/28/93

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**CONFIDENTIAL**

86A-LR-34847

Report of FD-302 of GEORGE O. GONZALEZ, JR., On 2/23/94, Page 2

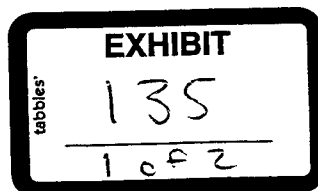
truck. FAIRFAX COUNTY FIRE AND RESCUE standard operating procedure (SOP), dictates that a fire truck would respond to an emergency dispatch requesting an advanced life support unit. Responsibilities for the fire truck crew include rendering traffic control and operation of recovery and extraction equipment.

GONZALEZ's unit responded from the fire house, to an emergency call at Ft. Marcy Park. The call requested a unit respond to a possible decedent near a cannon at the park. The identification of the dispatcher on duty could not be recalled. Dispatch response is controlled by the Fairfax County Police Department (FCPD). GONZALEZ served as the office-in-charge on this call. The driver of his unit was TODD HALL. RICK ARTHUR was the third individual responding with the unit. GONZALEZ recalls the dispatch call being received at the station between the hours of 3:00 p.m. and 6:00 p.m.. It was noted that daylight was still visible upon the responding unit's arrival at the incident scene.

Prior to arriving at the incident scene, GONZALEZ recalled seeing a vehicle parked along side the George Washington Parkway. The vehicle was parked approximately one mile from the entrance to Ft. Marcy Park. The vehicle bore diplomatic license tags.

Upon arrival at the Ft. Marcy Park parking area, GONZALEZ viewed a four-door Mercedes sedan with its emergency lights on. Also in the lot was a Honda sedan bearing Arkansas license tags. As GONZALEZ's vehicle was entering the park, a United States Park Police (USPP) vehicle arrived and followed the EMS vehicle to the incident scene. HALL and a USPP officer arrived at FOSTER's body first. The USPP officer may have been named FORNSTEIN (phonetic).

FOSTER's body was located on the side of a hill at the park. FOSTER's head was pointing toward the top of the hill with his feet oriented toward the bottom of the hill. FOSTER was lying on his back with his mouth open, hands at his side with a gun in one of his hands. From visual inspection it was obvious that FOSTER had suffered a gunshot wound to the head. The wound was recalled to be located in the upper, right front portion of the skull. FOSTER was dressed in a white shirt and dark colored pin/chalk stripe trousers. GONZALEZ's visual search of the



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Continuation of FD-302 of

GEORGE O. GONZALEZ, JR.

. On

2/23/94

. Page

3

incident scene revealed no signs of struggle.

Also noticed by GONZALEZ was pooling of blood within the body at the extremities. Upon completion of the visual inspection, it was determined by GONZALEZ that FOSTER was not revivable. GONZALEZ did not touch FOSTER during the inspection. The visual inspection of FOSTER also included a look into FOSTER's mouth which revealed the presence of blood. No lighting enhancement was utilized during the search of the mouth. HALL may have touched the body at this point; GONZALEZ was unsure. No photographs had been taken throughout the inspection process. GONZALEZ and HALL departed the scene to return lifesaving equipment to the EMS vehicle. By this point in the response, GONZALEZ recalls a second USPP officer at the incident scene. Other investigators began to arrive on scene as well.

After walking away from the location of the body, GONZALEZ looked at the two vehicles in the park for further identifiers related to the victim. The Honda contained a necktie, suit coat, and a black briefcase/attache case. Based on the manner in which FOSTER was clothed, GONZALEZ determined the vehicle to have been driven by the victim.

GONZALEZ identified the following EMS personnel as being located in the Ft. Marcy Park parking area in the vicinity of the vehicle believed to be FOSTER's:

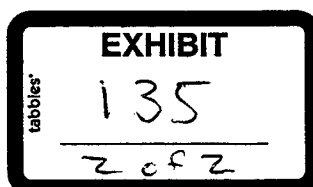
EMS Vehicle            TODD HALL  
                             RICK ARTHUR

Engine Company:    RALPH PISANI  
                             JENNIFER WACHA  
                             JAY IACONE

GONZALEZ noted that USPP officers were also gathered in the vicinity of the vehicle believed to belong to FOSTER. No Fairfax County Police officers were at the incident site while GONZALEZ was on scene.

IACONE was described to be the OIC of the Engine Company unit. GONZALEZ's EMS vehicle and the personnel listed above from the Engine Company, represent the first emergency response units dispatched to the FOSTER death scene. Once the scene was determined to be a death, Fairfax County Fire

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29D-LR-35063 SUB A

**CONFIDENTIAL**Continuation of FD-302 of RALPH PISANI, On 4/27/94, Page 2

had been located on the upper trail.

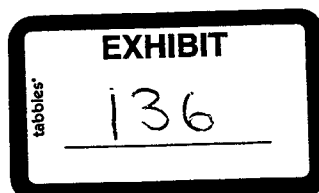
Upon arriving at FOSTER's body, PISANI was aware that the area surrounding the body was overgrown with shrubs and other vegetation. PISANI made that recollection in view of the current appearance of the site which contained no vegetation.

Upon arriving at the location of the body, PISANI recalls seeing one USPP officer already at the body. FOSTER had a gun in his right hand according to RICK ARTHUR. PISANI never saw the gun. PISANI was located in a position where he was looking over the left side of the body and was able to see blood on FOSTER's right shoulder. PISANI did not recall seeing any blood on FOSTER's face. PISANI further noted that he did not approach closer than ten feet to the body. PISANI did not see anyone touch the body while he was at the scene. PISANI did not recall seeing any eyeglasses at the scene that may have belonged to FOSTER nor did he see any trash or wine bottles located at the scene. During PISANI's cursory glance at the body, he did not see FOSTER's back. PISANI did not recall seeing any blood located around the body.

PISANI was shown a series of photographs that were taken at the death scene by USPP officers. PISANI did not recall, upon viewing these photographs, any blood being on FOSTER's face. He did recall seeing yellow tape in the area marking a police crime scene. It should be noted that photographs taken by USPP personnel show the police tape located in the vicinity of the cannon at the death scene.

In the course of the interview, interviewing agents requested that PISANI draw representations of the Fort Marcy parking area as well as a representation of FOSTER's body at Fort Marcy Park. Attached are two drawings; one represents Fort Marcy Park and its entrance on July 20, 1993 and the second drawing represents the location of FOSTER's body at the death scene as recalled by PISANI on July 20, 1993. Both drawings were done on April 27, 1994. It should be noted that the vehicle denoted car two on PISANI's map, is the car believed by PISANI to have belonged to VINCENT FOSTER. The two drawings are attached and made a part of the record hereto.

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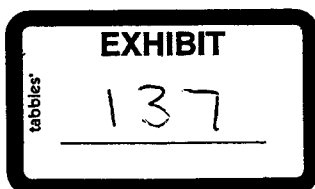
did not see back of anterior body.

did not remember seeing blood  
around body.

From photos:

didn't recall

blood on floor



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**CONFIDENTIAL**

- 1 -

## FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/4/94

Kevin B. Fornshill, Officer U.S. Park Police (USPP), Glenn Echo substation (telephone number 301-492-6250) was interviewed at the Office of the Independent Counsel, 1001 Pennsylvania Avenue, Washington, D.C. Mr. Fornshill was accompanied by his attorney, Mr. Phillip Matthew Stinson, The Commons at Valley Forge 1220 Valley Forge Road, Suite 45, P.O. Box 809 Valley Forge, Pennsylvania. Mr. Fornshill and Mr. Stinson were advised as to the identity of the interviewing agents and informed of the nature of the inquiry. Mr. Fornshill then provided the following information.

Private Fornshill advised that on the evening of July 20, 1993, he was assigned to work an "over-time detail" in the proximity of the Central Intelligence Agency (CIA) Headquarters in proximity to the George Washington Memorial Parkway. Between 5:50 pm and 6:00 pm that evening, he heard a code "dead body" at Fort Marcy Park and with the permission of Sergeant Edwards (USPP), he responded to Fort Marcy Park to investigate this situation. According to Private Fornshill, the sector or beat officer responsible for Fort Marcy Park was not readily available and that his instructions were to join up with Fairfax County Fire and Rescue Squad personnel at Fort Marcy Park. Upon entering Fort Marcy Park, Fornshill recalls meeting at the parking lot, two Emergency Medical Technicians (EMT), one a black male and the other a white male, names unknown, with all three proceeding into the park, neither of them knowing the exact location of the second cannon at Fort Marcy Park.

Fornshill related that the three of them proceeded to the location of the first cannon at which point they split with Fornshill heading in a northerly direction and the two EMT personnel proceeding in a more southerly direction. Fornshill stated that he recalls running up a slight hill and entering an open area where he observed a second cannon and while running towards the second cannon observed what he initially thought was the head of a mannikin. Upon reaching the top of a berm directly in front of the second cannon, he immediately noticed a body lying face up on the down side of a slope. Fornshill stated that

Investigation on 4/29/94 at Washington, D.C. File # 29D-LR-35063

by \_\_\_\_\_ Date dictated 5/2/94

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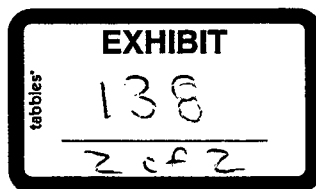
Continuation of FD-302 of Kevin B. Fornshill . On 4/29/94 . Page 2

he then called out to the two EMTs that he had found the body at which time the two EMTs immediately responded to the scene of the body.

According to Private Fornshill, his initial observation of the body was from the body's left side at a distance of approximately 6 feet, moving in a 180 degree arc, viewing the body from both the top looking down directly at the body, as well as moving to the right side of the body. While admitting that his initial observation of the body was probably less than 15 seconds, he does recall that while to the left hand side of the body, that the hair on the head was neatly in place, the mouth was slightly open and he could observe the top teeth. He indicated from this position, he also viewed flies moving around the lips and around the mouth area and specifically recalls that the decedent's shirt was white in color, clean and apparently starched with the collar open. He further observed that the decedent's trousers were in his opinion extremely neat and devoid of any dirt, debris or soil. Fornshill then recalls moving to the right of the body on the top of the crest of the hill where he noticed that the decedent's complexion was grayish in color and that the head was slightly tilted to the right. At this position, he noticed a trickle of dried, dark blood at the corner of the right side of the decedent's mouth but did not view any other blood on the face or for that matter on the decedent's shirt or trousers. He further observed that at this position he recalled the legs being straight with the arms relaxed and at the side. Furthermore he stated that he didn't pay any attention to the hands of the decedent nor did he observe a weapon in the decedent's possession or in the immediate area.

When further questioned as to his initial observations of the decedent's body, Fornshill reiterated the fact that his initial viewing of the body was cursory in nature, that he was not looking for a weapon, maintaining that he did not see the gun in the decedent's hand. In calling Private Fornshill's attention to the decedent's shirt, Fornshill reiterated that he recalled the shirt being an expensive looking white shirt which appeared to be starched but could not recall any blood being on the shirt. He further related that the decedent's trousers appeared extremely neat observing that the creases in the trouser were sharp and that the trousers were not rumped or in any way in disarray.

Private Fornshill stated that upon the arrival of the



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FD-302 (Rev 3-10-82)

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/2/94

COREY ASHFORD was interviewed at Fort Marcy Park regarding the Fairfax County Fire and Rescue Department response to the death of Vincent W. Foster, Jr. on July 20, 1993. ASHFORD is currently assigned to Fire Station One, 1455 Laughlin Avenue, McLean, Virginia, telephone number (703) 356-6671. After being apprised of the purpose of the interview, ASHFORD thereafter provided the following information:

Upon entering Fort Marcy Park, ASHFORD recalls seeing a vehicle believed to be a Honda Civic, that was possibly dark red in color. It was either a 1986 or a 1988 model. This vehicle was believed to be FOSTER's car. In the back window of the vehicle was a hanger with a jacket on it. ASHFORD glanced at the car for approximately 30 seconds. He learned back at the fire station that the car belonged to FOSTER. He gleaned this information in overhearing a conversation between JAY IACONE and other fire station personnel to include GEORGE GONZALEZ, RICK ARTHUR, and TODD HALL. The discussion centered around producing a detailed report regarding the response to the FOSTER death scene, since the decedent worked at The White House. ASHFORD recalls that The White House was brought up in the course of the conversation.

ASHFORD and ROGER HARRISON had been dispatched to Fort Marcy Park on July 20, 1993, to pick up the body of VINCENT FOSTER. ASHFORD did not recall receiving any assistance from U.S. Park Police personnel in placing FOSTER's body into a body bag. ASHFORD was also unable to recall the name of the doctor at Fairfax Hospital, who pronounced FOSTER dead. ASHFORD did not recall seeing any blood on the ground at the location of FOSTER's body.

Upon arriving in the parking area of Fort Marcy Park, ASHFORD recalls seeing several vehicles. In addition to FOSTER's vehicle, ASHFORD recalled a black Cadillac and a number of Park Police vehicles. At least one of the Park Police vehicles was an unmarked, white, Ford Crown Victoria.

Investigation on 4/27/94 at Ft. Marcy Park, VA File # 29D-LR-35063

by \_\_\_\_\_ Date dictated 5/1/94

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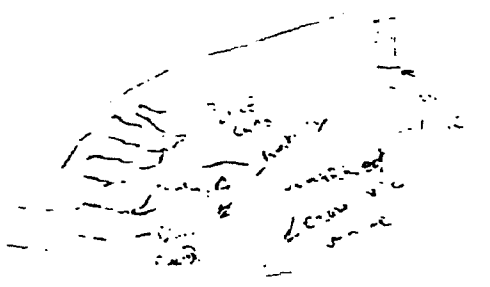
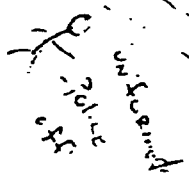
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Fort Muncy Park

**CONFIDENTIAL**



This Picture Represents  
 my view of the interior of the  
 Park on 7-20-93 drawn on  
 this date of 4-27-94 by Gary Ashford



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EXHIBIT  
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FD-302a (Rev 11-15-83)

**CONFIDENTIAL**

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Continuation of FD-302 of Roger Franklin Harrison, On 3/11/94, Page 2

ground in a wooded area. HARRISON recalls the original dispatch to be a normal 911 call.

Upon arriving at Fort Marcy Park, HARRISON recalls seeing a U.S. Park Police officer on the scene. The Park Police officer escorted HARRISON to the body of the decedent. He does not believe the truck unit from the Fire Department had arrived at the park by the time his ambulance was on the scene.

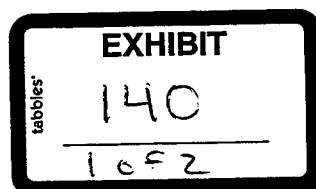
HARRISON was aware that FOSTER's car was located in the parking area of Fort Marcy Park. He does not recall seeing other vehicles in the parking area except for police cruisers. FOSTER's vehicle may have been cordoned off by police and crime scene tape.

Upon HARRISON's arrival at the location of FOSTER's body, he recalled seeing a white male lying on the ground near a rock ledge. The decedent was clothed; HARRISON was unable to recall what the individual was wearing. HARRISON did not recall if there was blood on the body. Nothing in particular stood out in HARRISON's mind.

HARRISON remembers a Park Police officer helping move the body into a body bag. ASHFORD also gave assistance in getting FOSTER into the body bag. Upon placing FOSTER's body into the body bag, HARRISON is reasonably sure he was at FOSTER's head, along with ASHFORD. HARRISON was located at one shoulder, ASHFORD was located at the other. HARRISON thinks the Park Police officer was probably positioned at FOSTER's feet. HARRISON was unable to recall the identity of the Park Police officer that helped put the body in the bag. He did not recall if the body was carried out of the woods by hand before being placed on a stretcher.

HARRISON did not recall looking around the death scene. He did not notice any blood at the scene. HARRISON did not look for or see a weapon near FOSTER's body. HARRISON recalls six or seven police officers at the scene.

HARRISON did not recall seeing any blood on FOSTER and did not recall seeing any blood on individuals handling the body. If blood had been present on FOSTER's body, a hazardous materials report would have been filed noting the condition and amount of



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29D-LR-35063

**CONFIDENTIAL**

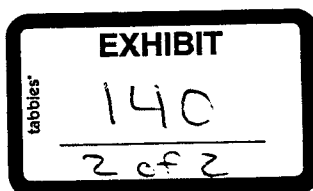
Continuation of FD-302 of Roger Franklin Harrison, On 3/11/94, Page 3

blood. HARRISON did not recall anyone at the scene getting blood on them from wounds associated with the death of FOSTER.

HARRISON did not recall where the body was taken, but assumes it was to Fairfax Hospital. The time of day HARRISON and ASHFORD picked up FOSTER's body was approximately 4:00 or 5:00 p.m. The weather was recalled to be clear. HARRISON had no impression regarding how long the body had been dead upon his arrival on scene. He did not recall if rigor mortis had set in.

HARRISON did not recall any discussions with Park Police personnel at the death scene. He did remember a discussion at the firehouse where it was mentioned that FOSTER was a White House official.

HARRISON thought the call and actions at the scene were routine in nature. HARRISON believed that the handling of the dispatch regarding the death of FOSTER was done according to Fairfax County Fire and Rescue standard operating procedure. According to HARRISON, the only law enforcement officials at the death scene were U.S. Park Police officers. HARRISON noted that he was assigned to Station One for one day in a temporary position.



OIC 000033

000545

# S A A M I

SPORTING ARMS AND AMMUNITION MANUFACTURERS' INSTITUTE, INC.

KENNETH D. GREEN  
TECHNICAL ADVISOR

February 23, 1998

John H. Clarke  
1730 K Street, N.W.  
Suite 304  
Washington, D.C. 20006

Dear Mr. Clarke;

Remington manufactured firearms in Ilion, New York and ammunition in Bridgeport, Connecticut. Ammunition manufacturing in Bridgeport was gradually transferred to a new facility in Lonoke, Arkansas starting in 1970.

In it's ammunition, Remington used propellants mostly manufactured by Dupont and Hercules. Both Dupont and Hercules manufactured flake type propellants. Winchester Western manufactured a flattened, spherical propellant which was named "Ball Powder." These propellants were used mostly by Winchester in it's own ammunition line. Dupont, Hercules and Winchester also marketed propellants to the hand-loader.

Remington used a Hercules propellant, "Bullseye," in most of it's 38 Special Remington products from 1975 to present. "Bullseye" was probably the propellant prior to 1975 as well.

The Hodgdon Powder Company also manufactures a flattened ball powder.

Attached are copies of propellant profiles for Hercules "Bullseye" and Winchester "231 Ball Powder." These were copied from "Propellant Profiles", published by Wolf Publishing.

I hope that this information is sufficient for your needs.

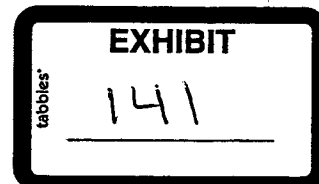
Sincerely,



Kenneth D. Green  
Technical Advisor

KDG/sjg

Enc.



2439



OPTIONAL FORM NO. 10  
MAY 1962 EDITION

UNITED STATES DEPARTMENT OF THE INTERIOR  
NATIONAL PARK SERVICE  
UNITED STATES PARK POLICE

|     |                 |
|-----|-----------------|
| YR  | INCIDENT NUMBER |
| 9/3 | 20502           |

|               |
|---------------|
| LOCATION CODE |
|               |

### EVIDENCE/PROPERTY CONTROL RECEIPT

EVIDENCE       FOUND PROPERTY       SAFEKEEPING

OFFENSE/INCIDENT: Death Investigation      DATE: 7-20-63      TIME: \_\_\_\_\_

INCIDENT LOCATION: Ft Marcy GNP      OFFICER: \_\_\_\_\_

PROPERTY #: \_\_\_\_\_      NARCOTIC #: \_\_\_\_\_      DEA LAB #: \_\_\_\_\_      MCL #: 166-03

| ITEM # | QUANTITY | DESCRIPTION OF EVIDENCE/PROPERTY                                           | LOCATION RECOVERED |
|--------|----------|----------------------------------------------------------------------------|--------------------|
|        | 1        | Colt, Army Special, 38 Cal revolver, 4", 6 shot<br>Serial 356555<br>355055 | right hand victim  |
|        | 1        | round 38 cal. r-p 38spl HV                                                 | from revolver      |
|        | 1        | casing 38 cal r-p 38spl HV                                                 | from revolver      |
|        | 1        | pr eyeglasses                                                              |                    |

*Supervisor Training  
Bureau  
Winkles  
(202) 727-7777  
Review with office & office PC*

**Do not Process**

**Do not Handle.**

[G.P.]

MADE

EVIDENCE/PROPERTY OBTAINED FROM: \_\_\_\_\_

OWNER/DEFENDANT(S): \_\_\_\_\_

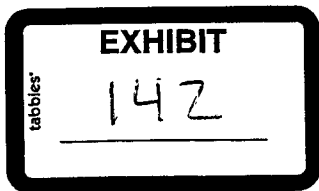
OWNER'S ADDRESS: \_\_\_\_\_

RECOVERED/RECEIVED BY: P. Simonello      DATE: 7-20-63      TIME: 1030

PROPERTY MAY BE:    RELEASED: YES ( ) NO (X)    ITEM(S): \_\_\_\_\_

                                 DESTROYED: YES ( ) NO ( )    ITEM(S): \_\_\_\_\_

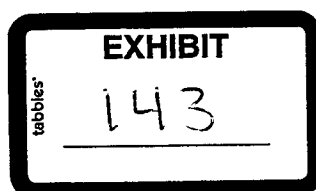
CASE INVOLVES ASSET FORFEITURE: YES ( ) NO ( )    ITEM(S): \_\_\_\_\_



000547



2112 Bottom Section  
Polaroid 2



000548

2153

FORM 10-2000  
1003

UNITED STATES DEPARTMENT OF THE INTERIOR  
NATIONAL PARK SERVICE

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

JUVENILE CASE #

|                                           |                              |           |              |                                |
|-------------------------------------------|------------------------------|-----------|--------------|--------------------------------|
| SYSTEM AREA<br>United States Park Police  | MONTH<br>07                  | DAY<br>20 | YEAR<br>1993 | CASE INCIDENT NUMBER<br>305012 |
| NATURE OF INCIDENT<br>Death Investigation | RECLASSIFICATION OF INCIDENT |           |              |                                |

RESULTS OF INVESTIGATION

ITEM

-Vincent Foster had an extreme loyalty to the Clinton Administration and was trying to protect it. He felt he had personally failed and talked to Lisa about quitting, however, would not return to Arkansas (because of the personal humiliation he felt). Lisa Foster felt that something physical came over Vincent quickly.

-Mr. Foster's sister, Sheila Anthony, had recently provided him with the names of three psychiatrists in the event he should seek their care. It is not known whether or not he contacted any of these doctors. The Foster's family doctor, Larry Watkins, was contacted in Arkansas and he prescribed an anti-depressant, Trazodone 50 mg., for Mr. Foster. Lisa and Vincent discussed the prescription and Mr. Foster decided to start with the lowest possible dosage. Vincent Foster took one 50 mg. tablet of Trazodone on the evening of 7/19/93.

-The last time Lisa Foster saw her husband was on the morning of July 20th at approximately 08:30 A.M. when he left for work driving the Honda. She left the house shortly thereafter for an appointment and does not know whether or not he returned to the residence that afternoon. Her son may have been in the basement during the early afternoon but it would be possible for Vincent Foster to enter and exit the residence without the son realizing his presence. On that particular morning Vincent Foster's mood seemed better than it had been "in a while".

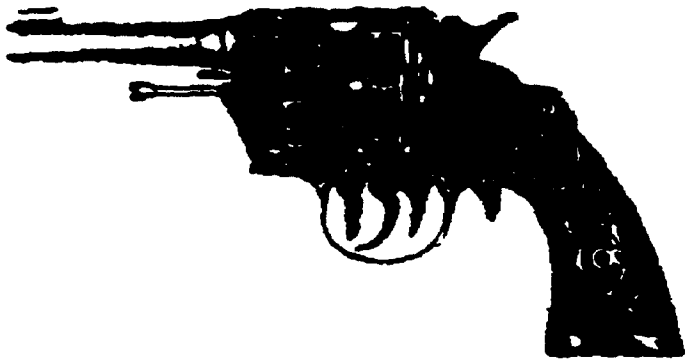
-The torn note produced by the White House counsel's office was viewed by Lisa Foster on 7/26/93 at the White House. She stated that it was, indeed, Mr. Foster's handwriting. She also stated that she had counseled him to write down his concerns and he probably did so in preparation for any upcoming investigation into his activities and decision making processes. It is Lisa Foster's opinion that the note was written 1-1 1/2 weeks before his death. **\*\*\*(Mrs. Foster and Mr. Hamilton have requested that the document be turned over to the custody of the family at the conclusion of this investigation.)**

-Mrs. Foster stated that she was used to a number of guns being present at her home in Arkansas due to the different lifestyle there. She was presented with a photograph of the weapon found with Mr. Foster's body but was unable to identify it. She suggested that her sister-in law, Sharon Bowman, may be able to identify the weapon. Mrs. Bowman is an outdoors type person and would have a better knowledge of firearms owned

**EXHIBIT**  
144

|                                                                            |                                       |                   |
|----------------------------------------------------------------------------|---------------------------------------|-------------------|
| 10 WARRANTS<br><input type="checkbox"/> YES<br><input type="checkbox"/> NO | 11 INVESTIGATOR NOTIFIED              | 12                |
| <input type="checkbox"/> LATENTS<br><input type="checkbox"/> PHOTOS        | 13 INVESTIGATOR<br><i>[Signature]</i> | PAGE 2 OF 3 PAGES |
| 14 REPORTING OFFICER<br>BADGE NO. DATE                                     | 15 SUPERVISOR<br>BADGE NO. DATE       |                   |

000549



[Handwritten signature/initials]

last night I visited with Mrs. Sarah Foster Bowman and asked her if she could identify the pistol in the photograph you had given me last week.

Mrs. Bowman said it looked like a gun she had seen in her father's collection. She particularly pointed out the "wavelike" detailing at the base of the grip.

I asked if she remembered any other features. She did not.

I am returning the photograph along with this letter. I will provide copies of this letter to Mrs. Bowman and Jim Hamilton.

Yours truly

[John C. Swan]

EXHIBIT

145

tabbies

**CONFIDENTIAL**

## FEDERAL BUREAU OF INVESTIGATION

Date of transcription 7/5/94

LEE FOSTER BOWMAN, nephew of VINCENT FOSTER, JR. was interviewed at his place of employment, Barclay's Bank, 222 Broadway, New York City, New York 10038. He was advised of the identity of the interviewing agent and of the purpose of the interview. BOWMAN provided the following information:

He is the grandson of VINCENT FOSTER Senior who died in 1992, and nephew of VINCENT FOSTER, JR. who died July 20, 1993. When he was 10 to 16 years old (approximately), he used to go with his grandfather to a fishing club located in Millwood, Arkansas and a hunting cabin in Yellowcreek, Arkansas. On these occasions, which numbered about two or three per year, he would shoot some of his grandfather's firearms. His grandfather collected weapons and was a "big sportsman". BOWMAN recalled seeing that his grandfather possessed about 3 pistols/revolvers; about 4 shotguns; and two or three rifles. BOWMAN mostly shot a .22 automatic pistol that looked something like a luger. It had a dark barrel and wooden handle. He also shot a larger caliber revolver that his grandfather kept in a holster. He also shot a rifle and shotgun. BOWMAN said he knew the difference between a pistol and a revolver.

BOWMAN was asked if his uncle, VINCENT FOSTER, JR., ever accompanied him on these trips and he answered, "Maybe once". He could not recall any additional details regarding this.

BOWMAN went duck hunting with his grandfather at the Yellowcreek hunting cabin which was located between Hope, Arkansas and Texarkana. His grandfather taught him safety of the weapons. He remembered his grandfather keeping one of the handguns in a bedside table, one in his truck and one at the hunting lodge. He said when his grandfather died, his uncle inherited the weapons. This included at least a "couple of pistols" and a shotgun.

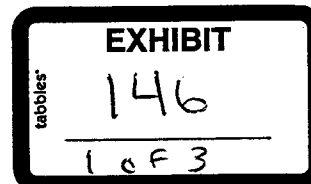
BOWMAN had no knowledge of his uncle VINCENT FOSTER, JR. bringing any of these weapons to Washington, D.C. from Little

Investigation on 6/28/94 at New York, New York File # 29D-LR-35063

by \_\_\_\_\_ Date dictated 6/29/94

OIC 000416

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000551



1807

FD-302a (Rev 11-15-83)

**CONFIDENTIAL**

29D-LR-35063

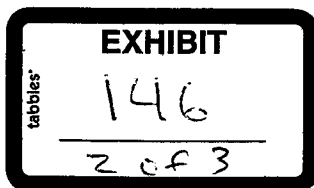
Continuation of FD-302 of LEE FOSTER BOWMAN . On 6/28/94 . Page 2

Rock, Arkansas with him when he joined the CLINTON administration.

BOWMAN was shown the .38 caliber colt revolver believed to have been used by VINCENT FOSTER, JR. on July 20, 1993 to kill himself. BOWMAN was asked if he recognized this weapon. BOWMAN said, "The gun does not ring a bell particularly". BOWMAN said the ".38 caliber" nature of the weapon was familiar, but that he didn't remember the black handle and the dark color of the metal. He indicated that he was familiar with the cylinder and barrel portion of this size or caliber of a weapon except for the color of the metal.

BOWMAN was asked if he could think of anyone else who could possibly identify his grandfather's firearms. He answered that probably other members of the hunting and fishing club and friends of his grandfather could do this. When asked to identify these individuals, BOWMAN said that there was a Dr. SYKES who was a dentist in Hope, Arkansas (his son is also a dentist). BOWMAN said he did not know if SYKES was still alive or not but that SHEILA or BERYL ANTHONY or his mother could probably help identify Dr. SYKES whereabouts. BOWMAN also said that his great uncle CHARLIE (last name not recalled) who lives in Yellowcreek, Arkansas may also be helpful. He further identified CHARLIE as being married to his grandfather's sister. BOWMAN also suggested that BERYL ANTHONY could possibly be of additional assistance.

The following description of BOWMAN was obtained through observation and interview:



OIC 000447

000552

1808

FD-302a (Rev 11-15-83)

**CONFIDENTIAL**

29D-LR-35063

Continuation of FD-302 of LEE FOSTER BOWMAN On 6/28/94 Page 3

EXHIBIT  
146  
3 of 3

OIC 000448

000553

2411B



EXHIBIT  
tabbles®  
147

000554



tabbles<sup>®</sup>  
EXHIBIT  
148

000555

Feels something physical  
 came over him quickly

Guilt -

Many have family -

- Mrs. Lee Brown - <sup>Heel</sup>  
 AK.

Sharon Brown may

be all to IA in sum

Note provided to Mr. Sloan.

Not sure she thought

it must be. Six, six-

year, large barrel.

Yank note was written

1 1/2 wk before. In case

Chase was in custody

EXHIBIT

149

tabbles

000556

1470

FD-302 (Rev 3-10-82)

**CONFIDENTIAL**

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 4/11/94

was interviewed at her place of employment, was advised as to the identity of the interviewing agents and informed of the nature of the interview. She then provided the following information.

advised that she is presently employed as a and presently resides at In regards to her recollection of her activities on July 20, 1993, she furnished the following information.

stated that she left work late afternoon and in the company of a close friend, , drove to Fort Marcy Park in her white Nissan , arriving at Fort Marcy Park sometime between 5:15 and 5:30 p.m. To the best of her recollection, she maintained that upon entering the parking lot at Fort Marcy Park, she noted that the only vehicle in the parking area was a relatively old (mid-1980's) Honda, possibly a Honda Accord, either tan or dark in color, parked close to the entry of the parking lot, adjacent to a path leading to the Northern section of the park. believed that this particular Honda was parked with the front of the vehicle facing the park area and to the best of her recollection, believes a white male was seated in the driver's seat of this particular vehicle. Although she was extremely vague on the description of this individual, she believed the occupant had dark hair and could have been bare-chested. After passing this particular vehicle, she drove approximately mid-way into the parking area, backing her Nissan into a parking space.

further related that shortly thereafter she noticed a white van or truck enter the Fort Marcy parking area backing into a parking space located between the aforementioned Honda and her vehicle. She stated she then observed the driver of this van or truck exit the vehicle and proceed to the rear of the vehicle where the driver opened the

Investigation on 4/7/94 at Washington, D.C. File # 29D-LR-35063

OIC 000116

by \_\_\_\_\_ Date dictated 4/7/94

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EXHIBIT  
150  
1 of 3

000557

1471

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29D-LR-35063

Continuation of FD-302 of \_\_\_\_\_, On 4/7/94, Page 2

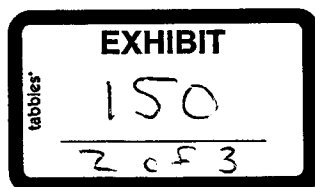
van or truck, removing what appeared to be trash from a fast food store and deposit the trash in a receptacle located at the rear of the truck. \_\_\_\_\_ could not recall whether or not the occupant of this vehicle returned to the van or truck but believes the vehicle departed the Fort Marcy area after being parked for approximately 10 minutes.

\_\_\_\_\_ further stated that this particular van or truck was white in color, was fairly new, and to the best of her recollection might have had a piggy-back cab with blue lettering on the passenger side. In an attempt to further describe this vehicle, \_\_\_\_\_ strongly believed that the rear glass door opened upward or vertically. \_\_\_\_\_ also opined that this white van or truck was basically a "work truck" but was unable to further describe the vehicle or for that matter advise as to what type of work this vehicle might have been engaged.

\_\_\_\_\_ stated that to the best of her recollection, the driver of this white van or truck was a white male, in his late 20's or early 30's who had light colored hair and was average height and weight. Additionally, she stated that the occupant was wearing a blue short-sleeve shirt, which could have possible been a company shirt worn by individuals in the service business.

\_\_\_\_\_ further stated that shortly after the white van or truck departed the Fort Marcy parking area, an old, dirty and run down large 4-door sedan (color unknown) drove into the Fort Marcy parking lot and passed her parked vehicle and made a U-turn, immediately exiting Fort Marcy Park. In regard to the occupant of this particular vehicle, it was \_\_\_\_\_ opinion that he was a white male with long, shaggy hair with a large build, approximately 30-40 years of age.

In further relating her activities on this day, she advised that shortly before 6:00 p.m., she and her companion, \_\_\_\_\_, departed her vehicle and walked through a wooded area to a knoll in the South section of the park where they had some refreshments. She further maintained that while in the company of \_\_\_\_\_ in the wooded area, the only individual they saw was a white male walking towards the parking lot at Fort Marcy. She stated that she believed this white male was approximately 6 feet tall, dark brown hair, and might have been in his late 20's or early 30's. She was extremely vague on the description of this



OIC 000117

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29D-LR-35063

Continuation of FD-302 of \_\_\_\_\_, On 4/7/94, Page 3

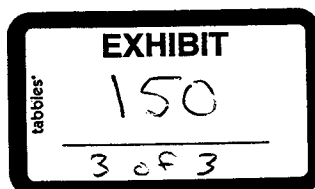
individual, but also believed he was "big and burly" and could have been wearing bluejeans.

advised that while with \_\_\_\_\_ in the wooded area South of the Fort Marcy parking area, she failed to observe any other individuals or activities and denied hearing any sounds or noises which could be construed as a gunshot. She did state, however, hearing emergency vehicles which were apparently entering the parking lot of Fort Marcy, but neither she nor \_\_\_\_\_ paid any attention to these vehicles. Furthermore, she advised that she was unaware of any activity in either the parking area or the Northern section of the park, until both she and \_\_\_\_\_ were located by a uniformed U.S. Park Police officer who directed them to the Fort Marcy Park parking area, where they were subsequently interviewed by U.S. Park Police officials.

In an effort to sharpen her memory of her observations on July 20, 1993, the interviewing agents related to the observations she provided to U.S. Park Police officials on July 20th. In recalling this particular interview, stated that she is positive that her initial comments that a vehicle that she observed as a light-colored older model pulling in next to the Honda was untrue. She maintained that the only vehicle she recalls that was positioned between her vehicle and the Honda previously described was the white van or truck which arrived shortly after she parked her vehicle.

further advised that the vehicle she was driving on July 20, 1993 was a 1992 4-door white Nissan with Maryland license plates and this vehicle had a light blue interior. Furthermore, she advised that the only distinguishing external characteristic of this vehicle was the presence on the right rear bumper of a Maryland State Police sticker, yellow in color, with the notation "BAD Against Drugs."

In regards to the contents of the vehicle, it was Ms. \_\_\_\_\_ opinion that on either the front floor or the back seat floor was a can of beer and either 1 or 2 bottles of wine coolers. \_\_\_\_\_ stated that she believes the bottles of wine coolers were separate and not contained in either a 4- or 6-pack container.



OIC 000118

000559



**CONFIDENTIAL**

- 1 -

## FEDERAL BUREAU OF INVESTIGATION

Date of transcription 4/11/94

was interviewed at his place of employment,

Mr. was advised of the identities of FBI Agents and informed that the agents wished to speak to him concerning an ongoing investigation into the death of Vincent Foster. Mr. provided the following information.

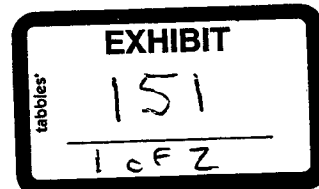
He stated that on July 20, 1993, a friend of his, picked him up at his place of employment at approximately 4:30 p.m. was driving her car, a white late model 4-door Nissan with Maryland license tags and a blue interior. He and drove directly to Fort Marcy Park where they planned to spend some time and enjoy a late picnic lunch.

They arrived at Fort Marcy Park at approximately 5:00 p.m. As they drove into the parking lot, he observed a vehicle, possibly a small station wagon or "hatchback" model, brownish in color, parked to his left. The vehicle was parked close to the path leading up to Fort Marcy, with the front of the car pulled into the parking space. The hood of the vehicle was up and a white male was standing in the vicinity of the vehicle. He described the white male as in his mid- to late 40's, approximately six feet in height, medium build, long blonde hair and beard, appeared unclean and unkept.

He and parked toward the end of the parking lot and remained in their car for approximately ten to fifteen minutes talking. While still in their car, a white van pulled into the lot and parked a few spots from them (front end first), between their vehicle and the brown vehicle.

Investigation on 4/5/94 at Washington, D.C. File # 29D-LR-35063  
 OIC 000120  
 by \_\_\_\_\_ Date dictated 4/11/94

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000560

1475

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29D-LR-35063

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Continuation of FD-302 of

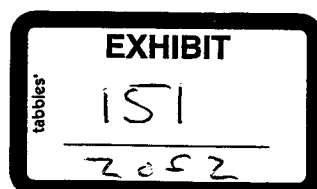
On 4/5/94

Page 2

described the van as white in color, the type commonly used by area repairmen, with doors in the back, fairly new in appearance, with blue lettering on side, possibly a logo also on side of van. The van driver was described as a white male, age approximately 25-30, dark hair (hair not long), clean-shaven. To the best of his recollection, the van driver never got out of the van; he was wearing some type of uniform and appeared to be of medium build.

Mr. stated that he and sat in their car and talked for approximately fifteen minutes and then got out to walk and picnic in the park. They walked up a wooded path located toward the end of the lot, then up a hill to a clearing where they sat down. To the best of his recollection, the van had left the parking lot and the brown car was still parked at the time they took their walk. While in the park itself, the only person they observed was a jogger run by; as best he recalls, the jogger was running in a southeasterly direction, away from the main park and parking lot, heading toward lower Chain Bridge Road. He was unable to recall any descriptive data concerning the jogger except that he was an older man with graying hair, thin build, wearing red shorts. added that while they were picnicking in the woods, he did recall hearing some type of automobile accident (i.e. cars colliding, brakes squealing), with the noise coming from the area of George Washington Parkway. Mr. was specifically asked if he heard any loud noises such as gunshots and stated that he did not.

Mr. advised that he and his friend had been sitting in the wooded area for approximately twenty to thirty minutes when he heard a number of police sirens and not long thereafter observed several paramedics come running down the path, running in one direction and then another and then finally returning back towards the parking lot. Mr. stated that shortly thereafter a female police officer came by where they were sitting and ordered them to come to the parking lot for questioning. Mr. concluded by stating that he did not think he would be able to identify the jogger or either of the drivers of the vehicles previously described in the parking lot.



OIC 000121

000561

2189

No. 191

UNITED STATES DEPARTMENT OF THE INTERIOR  
NATIONAL PARK SERVICE  
UNITED STATES PARK POLICE

INCIDENT NUMBER  
9 3 - 3 0 5 0 2

LOCATION CODE

EVIDENCE/PROPERTY CONTROL RECEIPT

EVIDENCE     FOUND PROPERTY     SAFEKEEPING

OFFENSE/INCIDENT: Death Investigation    DATE: 7/30/93    TIME: 1804

LOCATION: Fort Marcy    OFFICER: Ferstl    BADGE # 559

PROPERTY #: \_\_\_\_\_ NARCOTIC #: \_\_\_\_\_ DEA LAB #: \_\_\_\_\_ MCL #: \_\_\_\_\_

| ITEM # | QUANTITY | DESCRIPTION OF EVIDENCE/PROPERTY       | LOCATION RECOVERED           |
|--------|----------|----------------------------------------|------------------------------|
| 14     | 1        | <u>key ring marked Cook Jeep Sales</u> | Deceased pocket(right pants) |
| 15     | 1        | <u>key ring marked Vince's Keys</u>    | Deceased pocket(right pants) |

NCIC CHECK MADE

EVIDENCE/PROPERTY OBTAINED FROM: Deceased: Vincent W. Foster

OWNER: Vincent W. Foster    DEFENDANT(S): N/A

OWNER'S ADDRESS: 3027 Cambridge Pl. N.W. Washington, D.C.

RECOVERED/RECEIVED BY: C. Braun    DATE: 7/20/93    TIME: 2045

ADDRESS: USPP C13

PROPERTY MAY BE:    RELEASED:    YES ( )    NO ( )    ITEM(S): \_\_\_\_\_

                                 DESTROYED:    YES ( )    NO ( )    ITEM(S): \_\_\_\_\_

CASE INVOLVES ASSET FORFEITURE:    YES ( )    NO ( )    ITEM(S): \_\_\_\_\_

CASE UNDER APPEAL:    YES ( )    NO ( )

OFFICER/AUSA OR STATES ATTORNEY

C. Braun    267    7/20/93  
OFFICER SIGNATURE    BADGE    DATE

\_\_\_\_\_  
SUPERVISOR SIGNATURE    DATE

**DEPOSITION OF DENNIS S. MARTIN  
IN RE: S. RES. 120**

**THURSDAY, JUNE 22, 1995**

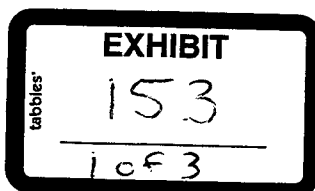
**U.S. SENATE,  
COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS,  
SPECIAL COMMITTEE TO INVESTIGATE WHITEWATER  
DEVELOPMENT CORPORATION AND RELATED MATTERS,  
Washington, DC.**

Deposition of DENNIS S. MARTIN, called for examination pursuant to notice of deposition, at 1:35 p.m. in Room 534 of the Dirksen Senate Office Building, before JULIE BAKER, a Notary Public within and for the District of Columbia, when were present:

**EVERETT C. JOHNSON, JR., Esq.**  
Majority Deputy Special Counsel  
**LANCE COLE, Esq.**  
Minority Deputy Special Counsel  
U.S. Senate  
Committee on Banking, Housing, and Urban Affairs  
534 Dirksen Building  
Washington, DC 20510  
On behalf of the Committee.

**TIMOTHY M. FOLEY, Esq.**  
**BILL CLANCY, Esq.**  
U.S. Secret Service  
Office of Chief Counsel  
1800 G Street, NW  
Room 842  
Washington, DC 20223  
On behalf of the Deponent.

(549)



**000563**

1 return to the White House that evening, to the best  
2 of your knowledge?

3 A I don't recall that.

4 Q And I take it you did not go back to the  
5 White House?

6 A No.

7 Q And you also called Mr. Livingstone, you  
8 said?

9 A Yes.

10 Q Roughly what time was it when you reached  
11 Mr. Livingstone?

12 A It was before 9:00 in the evening. I  
13 received a call -- maybe it was about 20 minutes  
14 after I received the initial call.

15 Q And if the initial call was around 8:30,  
16 your guess, therefore, it was before 9:00?

17 A Yes.

18 Q Where did you reach Mr. Livingstone?

19 A It seemed like it was a portable phone or  
20 car phone.

21 Q How did you get that number?

22 A I didn't have that number. That's why I

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1 think I went through my 058, my watch commander, who  
2 in turn went to the White House operator, who in turn  
3 paged Livingstone maybe with my number. Then he  
4 called me at home.

5 Q So your best impression is that he was on a  
6 cell phone. What makes you think that?

7 A Because it was static, and I think it was  
8 discussed. I think he mentioned that he was in the  
9 car phone, that we might get lost.

10 Q He was physically in his car?

11 A Yes.

12 Q Do you have any idea where he was driving?

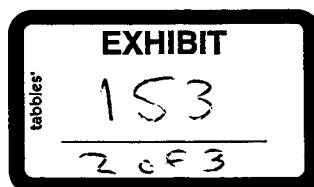
13 A No.

14 Q You don't know his proximity to the White  
15 House or anything like that?

16 A No.

17 Q When you spoke with Mr. Livingstone, was he  
18 already aware, to the best of your knowledge, that  
19 Mr. Foster was dead?

20 A As much as I can recall, I remember I  
21 remembered telling him that Mr. Foster had died and  
22 that I was sorry to hear that, and he seemed pretty

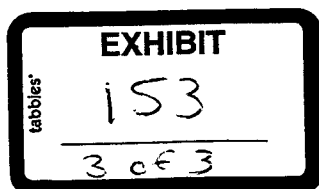


000564

1 Q Just out of curiosity, why didn't you then  
2 try his home?  
3 A Because I figured he was en route. Since  
4 he was in his vehicle, he would be en route from  
5 there.  
6 Q To where?  
7 A To the location of the body in the morgue.  
8 Q How would Mr. Livingstone here known where  
9 to go?  
10 A Possibly by making another telephone call.  
11 I was under the impression that he might have called  
12 maybe U.S. Park Police at that point.  
13 Q You think he may have independently  
14 ascertained where the body was?  
15 A Yes.  
16 Q Did you call his office at the White House?  
17 A That night? No.  
18 Q So you only tried his car phone number?  
19 A Yes.  
20 Q You can't say for certain whether he was at  
21 home or in the White House or en route to the  
22 morgue -- at the morgue. Do you know today whether

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1 or not he went directly to the morgue that evening?  
2 A I don't know.  
3 Q What other communications, if any, did you  
4 have on the evening of July 20th regarding  
5 Mr. Foster's death?  
6 A Just a call back maybe to the operations  
7 desk to give them guidance again on the procedures  
8 for notification.  
9 Q Notification procedures?  
10 A Yeah.  
11 Q And I think you may have answered this  
12 already, but at no time on that evening did you  
13 discuss with anyone whether or not to put in place  
14 additional security with respect to Mr. Foster's  
15 office or his documents?  
16 A It didn't seem like it was necessary.  
17 Q Did anyone ever say to you in the course of  
18 that evening we ought to go in there and see if  
19 there's a suicide note or something to that effect?  
20 A No.  
21 Q What, Mr. Martin, is the next thing that  
22 happened, in your memory, related to Mr. Foster and



000565







**DEPOSITION OF  
THOMAS F. "MACK" McLARTY III  
IN RE: S. RES. 120**

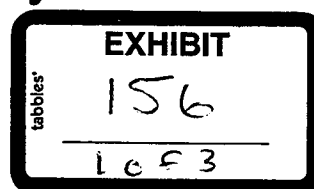
**THURSDAY, JULY 6, 1995**

**U.S. SENATE,  
COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS,  
SPECIAL COMMITTEE TO INVESTIGATE WHITEWATER  
DEVELOPMENT CORPORATION AND RELATED MATTERS,  
Washington, DC.**

Deposition of THOMAS F. "MACK" McLARTY III, called for examination pursuant to notice of deposition, at 9:36 a.m. in Room 640-A of the Hart Senate Office Building, before JULIE BAKER, a Notary Public within and for the District of Columbia, when were present:

**MICHAEL CHERTOFF, Esq.**  
Majority Special Counsel  
**GLENN F. IVEY, Esq.**  
Minority Counsel  
**RICHARD BEN-VENISTE, Esq.**  
Minority Special Counsel  
U.S. Senate  
Committee on Banking, Housing, and Urban Affairs  
534 Dirksen Building  
Washington, DC 20510  
On behalf of the Committee.

**WILLIAM W. TAYLOR III, Esq.**  
**LESLIE M. BERGER, Esq.**  
Zuckerman, Spaeder, Goldstein, Taylor & Kolker  
1201 Connecticut Avenue, NW  
Washington, DC 20036  
On behalf of the Deponent.



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1 occasions by law enforcement officials?

2 A Yes, I have.

3 Q Since those interviews or testimony -- and  
4 again putting aside your counsel or your immediate  
5 family -- have you discussed with anybody the  
6 substance of what you told the law enforcement  
7 officials on those occasions?

8 A No, I have not.

9 Q Let me direct your attention to July 20,  
10 1993 in the evening. Was there a point in time in  
11 the evening that you were present during the taping  
12 of the television show involving Larry King?

13 A I --

14 MR. TAYLOR: Assuming it was a taping?

15 MR. CHERTOFF: Or filming.

16 MR. TAYLOR: Production.

17 MR. CHERTOFF: Production.

18 THE WITNESS: I was aware -- I was present  
19 during the interview of the President by Mr. King.

20 BY MR. CHERTOFF:

21 Q And where did that take place?

22 A It took place in the White House residence,

1 I believe in what is called the library.

2 Q Was it a live show?

3 A I believe it was.

4 Q Do you recall when the show began?

5 A I think it began at 9:00 eastern time.

6 Q Was there a period of preparation before  
7 the beginning of the show?

8 A There was a brief period, as I remember.

9 Q And were you present for that?

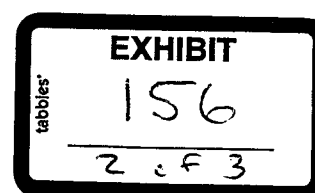
10 A I believe I was.

11 Q Did there come a time when you were in the  
12 residence that you learned that a body of someone who  
13 was believed to be employed at the White House had  
14 been found in Fort Marcy Park?

15 A Yes, at some point during this period.

16 Q How did you learn that?

17 A Mr. Burton informed me, as I was literally  
18 leaving the White House, that there had been a body  
19 discovered, that they thought -- the authorities  
20 thought to be Vince Foster, although they were not  
21 certain at that point, and it had been an apparent  
22 suicide.



000569

1 Q You say you were leaving the White House,  
 2 About what point were you leaving the White House  
 3 relative to the filming of this interview with Larry  
 4 King?

5 A The interview, as I remember it,  
 6 Mr. Chertoff, had just begun. They had several  
 7 minutes of interview; it seemed to be going quite  
 8 well. So it was underway and my responsibilities, as  
 9 I saw them, were completed, so I was going home for  
 10 the evening.

11 Q Now, after Mr. Burton told you this  
 12 information, what did you do?

13 A Well, I was shocked by it and upset by it.  
 14 My thoughts at that point turned to the interview.  
 15 Was the President going to be asked about this during  
 16 this interview? And should we notify the President  
 17 or, frankly, stop the interview? My thoughts also  
 18 ran to the fact that the body had not been fully  
 19 identified or concretely identified and the hope that  
 20 this was not Mr. Foster. Those were my immediate  
 21 thoughts when I was told this news.

22 Q Did you direct Mr. Burton to do anything?

1 A I don't recall giving him any specific  
 2 direction. I think I responded to his information  
 3 with "keep me posted as things progress" or "let me  
 4 know if there's a concrete identification made."  
 5 Something of that nature.

6 Q And did you return to the residence?

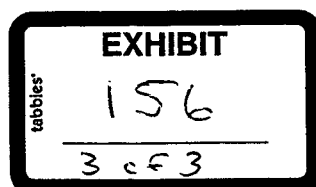
7 A I did not. I was told in the residence. I  
 8 was actually in the hall of the residence, so I was  
 9 in the residence when I was told, so I stayed in the  
 10 residence.

11 Q You decided to stay?

12 A Yes.

13 Q What did you do next?

14 A Mr. Chertoff, I don't remember a specific  
 15 sequence of events. At some point, I counseled with  
 16 George Stephanopoulos, who had been involved in the  
 17 communications both during the campaign and the White  
 18 House, who was already there for the interview, and  
 19 Mark Gearan, who was director of communications, to  
 20 get their thoughts as to what we should do regarding  
 21 the interview. And I believe Dee Dee Myers joined us  
 22 at some point during that conversation, although that



**DEPOSITION OF WEBSTER L. HUBBELL  
IN RE: S. RES. 120**

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**VOLUME I**

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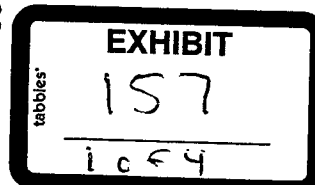
**THURSDAY, JULY 13, 1995**

**U.S. SENATE,  
COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS,  
SPECIAL COMMITTEE TO INVESTIGATE WHITEWATER  
DEVELOPMENT CORPORATION AND RELATED MATTERS,  
Washington, DC.**

Deposition of WEBSTER L. HUBBELL, called for examination pursuant to notice of deposition, at 1:59 p.m. in Room 538 of the Dirksen Senate Office Building, before CARMEN BUNCH, a Notary Public within and for the District of Columbia, when were present:

**EVERETT C. JOHNSON, JR., Esq.**  
Majority Deputy Special Counsel  
**JAMES B. COMEY, Esq.**  
Majority Deputy Special Counsel  
**NEAL E. KRAVITZ, Esq.**  
Minority Principal Deputy Special Counsel  
U.S. Senate  
Committee on Banking, Housing, and Urban Affairs  
534 Dirksen Building  
Washington, DC 20510  
On behalf of the Committee.

**LAURA S. SHORES, Esq.**  
Howrey & Simon  
1299 Pennsylvania Avenue, NW  
Washington, DC 20004-2402  
On behalf of the Deponent.



**000571**

1 I returned to Justice, worked there. Went home  
2 probably about 8:00 and was having dinner with my  
3 family, my wife and a friend, Marsha Scott, and I got  
4 beeped and was informed of Vince's death.

5 Q Who called you regarding Mr. Foster's  
6 death?

7 A George Stephanopoulos called me at the  
8 restaurant. I was having dinner at a restaurant.  
9 I'm sorry.

10 Q I was going to say, I missed something.

11 A I was beeped at --

12 Q At 8:00 p.m. -- you were home by 8:00 p.m.  
13 and sometime after 8:00 p.m. you were having dinner  
14 at a restaurant?

15 A That's right, I'm sorry. I took the kids  
16 who were there and Marsha and my wife and I were all  
17 in a restaurant and I got beeped. I went to a public  
18 phone where George told me that Vince -- they had  
19 found the body in a park and that it was Vince and it  
20 was an apparent suicide and that -- I couldn't  
21 believe it, and I said George, I'm in a public  
22 restaurant. And he said get to a phone where we can

1 talk, and I did.

2 Q Do you have any recollection about what  
3 time of evening Mr. Stephanopoulos called you?

4 A No, I really -- I mean, it was probably  
5 around 8:30 to 9:00, but I could be off an hour, I  
6 mean, I really could.

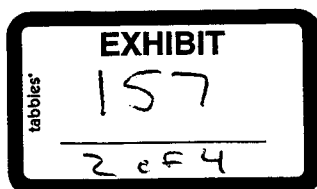
7 Q And so the next thing you did was what?

8 A It was, you know, like a comedy of errors.  
9 We went home. I left my kids -- I gave my kids the  
10 credit card and said we have to go. I have to go. I  
11 said Susie, come on. Marsha went with me. The kids  
12 stayed and paid the bill.

13 Q Susie and Marsha are --

14 A Susie is my wife. Marsha Scott is Marsha  
15 Scott, who is a friend in Arkansas but also works in  
16 the White House. I said come on, I've got to get to  
17 a private phone.

18 We get in Marsha's car and I think leave my  
19 car for the kids, get home and realize we're locked  
20 out of the house, so I have to go around to a  
21 neighbor and use their phone, and there I called  
22 George back.



1 Q Mr. Stephanopoulos was at the White House?

2 A Yes.

3 Q Was he at the White House the first time he  
4 called you as well?

5 A I'm assuming he was. I think they normally  
6 got me back then through the Justice command center  
7 where they would call the command center, the command  
8 center would beep them, I would get them. They might  
9 patch me into George or they might -- I'm not sure  
10 exactly that night how I got back to George, but I  
11 called George back. He told me that it was true,  
12 that Bill Kennedy was going to identify the body.

13 Obviously I was in shock. He said that  
14 David Watkins was on his way with the Park Police to  
15 advise Lisa and I should get there as soon as  
16 possible. I then told --

17 Q Get where as soon as possible?

18 A To Lisa's.

19 Q Meaning Mrs. Foster?

20 A Yes. I reminded George that Sheila Anthony  
21 was just right -- Sheila Anthony lives almost  
22 directly across the street from me, that Sheila, we

1 would need to notify Sheila as well and that she was  
2 across the street. And he said he had forgotten,  
3 would I go tell Sheila.

4 Q Tell us who Mrs. Anthony was.

5 A Sheila Anthony is Vince's older sister.  
6 Her husband is Beryl Anthony, who was a Congressman  
7 from Arkansas for about 14 years and was by that  
8 time, I think, confirmed as the head of the office of  
9 legislative affairs at the Justice Department.

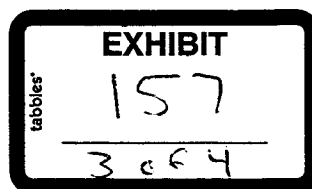
10 Q All right. So Mr. Stephanopoulos told you  
11 to proceed as quickly as you could to the Foster  
12 residence?

13 A Right.

14 Q You reminded him that someone needed to  
15 inform Ms. Anthony who lived across the street from  
16 you?

17 A And he asked that I do so.

18 Q Did you in, either this conversation -- the  
19 first conversation with Mr. Stephanopoulos or the one  
20 you've just been describing ask Mr. Stephanopoulos  
21 whether or not the President had been informed of  
22 Mr. Foster's death?



1 A No.

2 Q Did you ask whether or not Mrs. Clinton had  
3 been informed of Mr. Foster's death?

4 A No.

5 Q Is that because you assumed that they had  
6 or you didn't think of it?

7 A I just assumed that they had.

8 Q All right. And what's the next thing,  
9 Mr. Hubbell, you recall?

10 A I walked across the street to tell Sheila.  
11 As it turned out, Vince's other sister was visiting  
12 Sheila that night, Sharon. Her name is Sharon  
13 Bowman. They were out in their backyard having a  
14 drink, and I went out and told them I had to tell  
15 them something, that I didn't know what was true or  
16 what wasn't true at that point, but that I had  
17 received this call that Vince had been found dead and  
18 that they were verifying the body and that we were  
19 going to Lisa's and the Park Police was coming to  
20 Lisa's and that I thought they ought to come with me.

21 Q Why don't we -- it's a little before 3:00  
22 and you've got to scoot. Why don't we stop now. Off

46

1 the record.

2 (Discussion off the record.)

3 (Recess.)

4 BY MR. JOHNSON:

5 Q Mr. Hubbell, I think before we broke, you  
6 were telling me that you had advised Ms. Anthony and  
7 Ms. Bowman of Mr. Foster's death and also asked them  
8 to go, I believe, with you to the Foster residence  
9 sometime in the evening of July 20, 1993. I think  
10 you also told me that you don't have a clear picture  
11 of what time of evening that may have been.

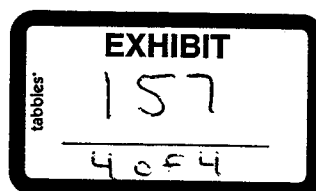
12 A No, I don't.

13 Q What's the next thing that you recall  
14 doing?

15 A We drove to the Foster residence and got  
16 there just at the same time that David Watkins and  
17 Eileen got there, Eileen Watkins, and the Park  
18 Police.

19 Q Other than Mr. Foster's immediate family,  
20 was anyone else already there?

21 A No, no. I think it was just Laura Foster  
22 and Lisa when we got there.



000574

**CONFIDENTIAL**

## FEDERAL BUREAU OF INVESTIGATION

Date of transcription 4/15/94

Mrs. \_\_\_\_\_ was interviewed at her place of employment, \_\_\_\_\_

She was advised of the identity of FBI Agent \_\_\_\_\_ and informed that he wished to speak to her concerning an ongoing investigation into the death of Vincent Foster on July 20, 1993. \_\_\_\_\_ advised that several days after the events of July 20, 1993, she was contacted by telephone by an individual who identified himself as a Park Police Officer; adding that she answered his questions and provided whatever information she had.

\_\_\_\_\_ advised that on the day in question, she left her office at approximately 5:15 p.m. and took her usual route home, proceeding North on the George Washington Parkway. She advised that as she approached Fort Marcy Park, the gas pedal "stopped working" and her car would not accelerate. She stated that she started to coast, coasting as far as she could and ending up approximately 50-60 feet into the entrance ramp leading into Fort Marcy Park. She stated that she was driving her Mercedes \_\_\_\_\_. She advised that she put the emergency flashers on and started walking towards the Fort Marcy parking lot, hoping that there would be a phone located in that area. She stated that another car, occupied by a white male, was also parked off to the right on the entrance ramp leading into the Fort Marcy parking lot. She advised that she had to walk by this vehicle as she approached the parking lot and noticed that the occupant appeared to be looking at some papers or possibly a map.

\_\_\_\_\_ advised that as she walked past this individual, he started his car and then pulled up next to her, adding that they had still not reached the parking lot area. She said this individual inquired if she needed a ride and she declined; she stated that he asked a second time if he could help or give her a ride and she again remarked no, that she was just trying to find a telephone. As best she recalls, this individual proceeded up into the parking lot, turned around, and then drove off in the direction of the GW Parkway. She described the

Investigation on 4/11/94 at Washington, D.C. File # 29D-LR-35063

by \_\_\_\_\_ Date dictated 4/14/94 OIC 000145

**EXHIBIT**

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**000575**



1523

FD-302a (Rev. 11-15-83)

**CONFIDENTIAL**

29D-LR-35063

Continuation of FD-302

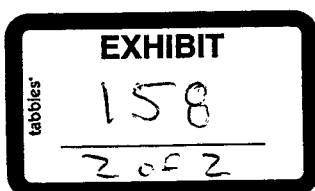
On 4/11/94 Page 2

individual who offered to give her a ride as a white male, dark hair, thick, well-groomed, summer-type shirt on, possibly plaid color, age 38-42, medium build. She described his vehicle as a late model vehicle, 4-door, color white, possibly a Honda. She was unable to recall any other details.

stated that she is quite sure that it was somewhere in the vicinity of 5:45-6:15 p.m. when her car broke down and she pulled into Fort Marcy Park. advised that she approached the front area of the parking lot and was unable to locate a phone; she recalls some type of park sign that appeared next to the entrance to a trail leading up into the park. advised that at least two cars were in the parking lot and that they were both parked fairly close to one another, not necessarily side by side but within a few spaces of one another. Her recollection was that these cars were parked more or less in front of her as she walked into the lot and were situated in the beginning of the lot, not towards the back of the lot. She stated that she was unable to comment as to whether there were any additional cars located towards the rear of the lot. She stated that she was quite sure that there was no one present in the cars, nor did she observe anyone else in the parking lot area. The only thing that she can recall about these two cars was that one was dark blue and the second was light gray or silver in color. stated that she saw no one else, nor did she see any other cars coming into or out of the lot. advised that she then walked back to the George Washington Parkway shoulder and proceeded to walk North on the Parkway to the McLean/Chain Bridge exit, where she sought assistance at an Exxon station located on Chain Bridge Road.

stated that she did not see any vehicle resembling a white van in the vicinity of the Fort Marcy parking area. She also stated that she did not hear any loud noises or possible gunshots while she was in the Fort Marcy parking lot area.

Mrs. advised that as she was walking North on the GW Parkway, another white male stopped to assist her and she refused. She also recalled that while walking North, she observed several emergency vehicles with sirens sounding heading South on the GW Parkway. concluded the interview by providing the following background information:



OIC 000146

000576

USPS

NATIONAL PARK SERVICE

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

JUVENILE CASE

|                                           |  |             |           |            |            |                                 |
|-------------------------------------------|--|-------------|-----------|------------|------------|---------------------------------|
| JURISDICTION<br>United States Park Police |  | MONTH<br>07 | DAY<br>20 | YEAR<br>93 | YEAR<br>93 | CASE INCIDENT NUMBER<br>3101502 |
|-------------------------------------------|--|-------------|-----------|------------|------------|---------------------------------|

|                                           |                                         |
|-------------------------------------------|-----------------------------------------|
| NATURE OF INCIDENT<br>Death Investigation | RECLASSIFICATION OF INCIDENT<br>Suicide |
|-------------------------------------------|-----------------------------------------|

7 RESULTS OF INVESTIGATION

ITEM

Synopsis/Conclusion

On 7/20/93 at approximately 1800 hours this Department was notified by an anonymous caller that a dead body was discovered by a citizen at Fort Marcy, Virginia. The caller was subsequently identified by USPP Investigators and it was determined that a W/M, approximately 50 years of age, driving a white Chevrolet work van, had discovered and reported the body to the previously unidentified caller. This person has not been identified.

The decedent was identified as Vincent W. Foster, Deputy Legal Counsel to President Clinton. Notification to Mr. Foster's wife was made and an autopsy performed on 7/21/93. The autopsy and resulting toxicology revealed no signs of pre-existing health problems, alcohol or drug usage by the decedent. The cause of death was a "perforating gunshot wound to the mouth - head".

Interviews conducted at the White House revealed that Mr. Foster had left his office on 7/20/93 at approximately 1310 hours. Mr. Foster, who was always instantly accessible in the past, did not answer an electronic page initiated by Mr. Bernard Nussbaum, Chief Counsel to the President, at 1830 hours. The White House issued pager had been recovered by investigators at the death scene. The pager had been turned off.

Further investigation and calls from citizens support a finding that Mr. Foster drove into Fort Marcy, at approximately 1445-1500 hours, by himself in the vehicle found at the scene.

The investigation has revealed that Mr. Foster was, within the past two weeks, experiencing a great deal of difficulty handling the stress associated with his office. He had considered seeking psychiatric help, and was provided with several doctors names by a family member. He had confided in his wife his difficulties and had recently tried to set aside family time to relieve some stress. The Foster family doctor was contacted in his home State of Arkansas. The doctor prescribed an anti-depressant drug and one tablet was consumed by Mr. Foster on the evening before his death. (\*\*the 50 mg tablet of Trazodone is an extremely low dosage; and is not be considered to be a contributing factor).

The revolver recovered at the scene of Mr. Foster's death (from his hand) had probably been passed down to Mr. Foster after

|                                                                          |        |                                                                                |              |                                                                    |      |                                    |        |                   |  |
|--------------------------------------------------------------------------|--------|--------------------------------------------------------------------------------|--------------|--------------------------------------------------------------------|------|------------------------------------|--------|-------------------|--|
| WARRANTS:<br><input type="checkbox"/> YES<br><input type="checkbox"/> NO |        | LATENTS<br><input type="checkbox"/> LATENTS<br><input type="checkbox"/> PHOTOS |              | TECH NOTIFIED                                                      |      | INVESTIGATOR NOTIFIED              |        | PAGE 1 OF 2 PAGES |  |
| STATUS: <input type="checkbox"/> OPEN <input type="checkbox"/> SUSPENDED |        | CLOSED BY                                                                      |              | <input type="checkbox"/> ARREST <input type="checkbox"/> EXCEPTION |      | <input type="checkbox"/> UNFOUNDED |        |                   |  |
| REPORTING OFFICER                                                        | AGENCY | DATE                                                                           | INVESTIGATOR | AGENCY                                                             | DATE | SUPERVISOR                         | AGENCY | DATE              |  |

**EXHIBIT**  
159  
10F2

000577

2115

NATIONAL PARK SERVICE

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

COVERILE CASE #

|                                           |                                       |                                       |           |          |                                |
|-------------------------------------------|---------------------------------------|---------------------------------------|-----------|----------|--------------------------------|
| SYSTEM AREA<br>United States Park Police  | INCIDENT<br>DATE OCCURRED<br>07 20 93 | MO<br>07                              | DAY<br>20 | YR<br>93 | CASE/INCIDENT NUMBER<br>130502 |
| NATURE OF INCIDENT<br>Death Investigation |                                       | CLASSIFICATION OF INCIDENT<br>Suicide |           |          |                                |

RESULTS OF INVESTIGATION

ITEM

his father's death. A family member stated that it "looked like a gun that (they) had seen in (his) father's collection". According to the executor of Mr. Foster's estate there would be no record of weapons by serial number to document the collection. There was no record of a firearms registration current or pending for the weapon in the District of Columbia by Mr. Foster on the date of his death. An ATF trace revealed that the weapon, which bore two serial numbers, was last documented in legal transactions in 1913.

A handwritten note that the White House Counsel's Office reported they found on 7/26/93 and was turned over to this Department on 7/27/93 documents the observations of a very disturbed and overworked individual who sees himself as having failed the Clinton Administration. The note was examined by Mr. Foster's wife who declared that it was her husband's handwriting. The questioned document was compared, by an expert, to documents known to be handwritten by Vincent Foster. The expert's findings concluded: "Both the Known and Questioned Documents were completed by the same writer/author and that writer/author is known as Vincent W. Foster."

The delays presented by White House Counsel's Office and the circumstances surrounding the production of the "note" are being investigated by the Federal Bureau of Investigation and are not a consideration in the instant "Death" investigation.

Based on the aforementioned synopsis of the facts and circumstances presented, the writer requests that the investigation be "Closed" and that the Manner of Death ruled as "Suicide".

EXHIBIT  
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2 of 2

|                                                                                                                                   |                                                                                   |                   |                            |                          |
|-----------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-------------------|----------------------------|--------------------------|
| 10 WARRANTS<br><input type="checkbox"/> YES<br><input type="checkbox"/> NO                                                        | 11 CLARITY<br><input type="checkbox"/> CLARITY<br><input type="checkbox"/> PHOTOS | 12 "TCH" NOTIFIED | 13 INVESTIGATOR NOTIFIED   | 14                       |
| 15 STATUS<br><input type="checkbox"/> OPEN<br><input type="checkbox"/> SUSPENDED<br><input checked="" type="checkbox"/> CLOSED BY | 16 REPORTING OFFICER<br>BAGG/NO                                                   | 17 DATE           | 18 INVESTIGATOR<br>BAGG/NO | 19 SUPERVISOR<br>BAGG/NO |

000578

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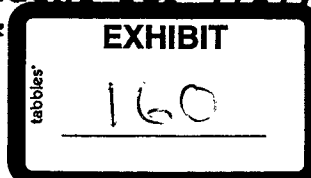
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000579

103D CONGRESS  
2D SESSION

# S. RES. 229

Authorizing oversight hearings by the Committee on Banking, Housing, and  
Urban Affairs.

---

## IN THE SENATE OF THE UNITED STATES

JUNE 16 (legislative day, JUNE 7), 1994

Mr. MITCHELL submitted the following resolution: which was ordered to be  
placed on the calendar

JUNE 21 (legislative day, JUNE 7), 1994 .

Considered and agreed to

---

## RESOLUTION

Authorizing oversight hearings by the Committee on  
Banking, Housing, and Urban Affairs.

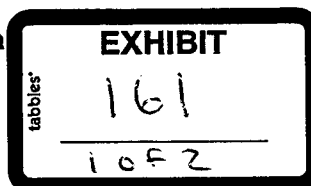
1 *Resolved,*

2 **SECTION 1. SCOPE OF THE HEARINGS.**

3 The Committee on Banking, Housing, and Urban Af-  
4 fairs (referred to as the "committee") shall—

5 (1) conduct hearings into whether improper  
6 conduct occurred regarding—

7 (A) communications between officials of  
8 the White House and the Department of the  
9 Treasury or the Resolution Trust Corporation



000580

1 relating to the Whitewater Development Cor-  
2 poration and the Madison Guaranty Savings  
3 and Loan Association;

4 (B) the Park Service Police investigation  
5 into the death of White House Deputy Counsel  
6 Vincent Foster; and

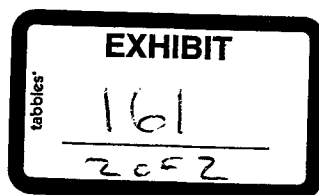
7 (C) the way in which White House officials  
8 handled documents in the office of White House  
9 Deputy Counsel Vincent Foster at the time of  
10 his death; and

11 (2)(A) make such findings of fact as are war-  
12 ranted and appropriate;

13 (B) make such recommendations, including rec-  
14 ommendations for new legislation and amendments  
15 to existing laws and any administrative or other ac-  
16 tions, as the committee may determine to be nec-  
17 essary or desirable; and

18 (C) fulfill the Constitutional oversight and in-  
19 forming function of the Congress with respect to the  
20 matters described in this section.

21 The hearings authorized by this resolution shall begin on  
22 a date determined by the Majority Leader, in consultation  
23 with the Minority Leader, but no later than the earlier  
24 of July 29, 1994, or within 30 days after the conclusion



...PRESS CONFERENCE WITH: PHILIP B. HEYMANN, DEPUTY ATTORNEY GENERAL; ROBERT LANGSTON, CHIEF, US PARL. POLICE; ROBERT BRYANT, SPECIAL AGENT IN CHARGE OF THE WASHINGTON METROPOLITAN FIELD OFFICE, FBI; SUBJECT: REPORT ON DEATH OF VINCENT FOSTER, FORMER DEP. ASST. TO THE PRESIDENT, US JUSTICE DEPARTMENT F-10-01 page# 1 TUESDAY, AUGUST 10, 1993

dest=mwh,doj,fbi,park,crime  
data

TRANSCRIPT BY: FEDERAL NEWS SERVICE  
620 NATIONAL PRESS BUILDING  
WASHINGTON, DC 20045

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TO RECEIVE STATE, WHITE HOUSE, DEFENSE, BACKGROUND AND OTHER BRIEFINGS AND SPEECHES BY WIFE SOON AFTER THEY END, PLEASE CALL COFFEE PANDELL AT 202-247-1400.

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MR. HEYMANN: Ladies and gentlemen, we are here today to announce the results of the inquiry into Vince Foster's death. I received an FBI report this morning, a Parl Police report last Friday just got into my hands on Monday. As you all know, Parl Police have been taking the lead in investigating the cause of death. The FBI has been assisting in that investigation and separately investigating the circumstances surrounding the finding of the note.

The chief of the Parl Police, Chief Langston, and the special agent in charge of the Washington field office of the FBI, Mr. Bryant, are here today. They're here to describe their findings to you and to answer any questions you have.

I have directed that the full text of the note that was found be made public now. At the very strong urging of the family of Vince Foster, we are not making available photocopies of the note itself, but knowing that some of you may want to see it so that you can describe what it looks like, Carl Stern will have a copy available and anyone who wants to see it is welcome to see it. We just don't want to distribute it.

There are in the note some statements, which to be sure that no stone was left unturned, we have referred to the units which the attorney general asked some weeks ago to review any questions about the travel office -- the Office of Professional Responsibility, and

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PRESS CONFERENCE WITH: PHILIP B. HEYMANN, DEPUTY ATTORNEY GENERAL; ROBERT LANGSTON, CHIEF, US PARK POLICE; ROBERT BRYANT, SPECIAL AGENT IN CHARGE OF THE WASHINGTON METROPOLITAN FIELD OFFICE, FBI; SUBJECT: REPORT ON DEATH OF VINCENT FOSTER, FORMER DEF. ASST. TO THE PRESIDENT, US JUSTICE DEPARTMENT  
F-10-01 page# 2 TUESDAY, AUGUST 10, 1993

the public integrity section. As to these assertions in the note, the Office of Professional Responsibility is looking at the sentence dealing with the FBI as part of its broader inquiry into the FBI contacts with the White House in accordance with the attorney general's letter to Chairman Brooks promising that we would look into the FBI's contacts.

As to the remaining assertions, the Public Integrity Section of the Criminal Division is looking at them as part of its mandate -- also from the attorney general, also in response to Chairman Brooks -- to review all travel office matters. Now, there's one that is not a travel office matter, and as to that one, which I don't even have it in front of me to describe it, involves the ushers. While the inquiry into these assertions is not totally complete, I am told that based on its interviews to date, nothing has led the Public Integrity Section to suspect any criminal conduct that would then have to be investigated.

I will also hand out or make available to you my instructions last week to the Public Integrity Section and to the Office of Professional Responsibility asking them to look into these matters.

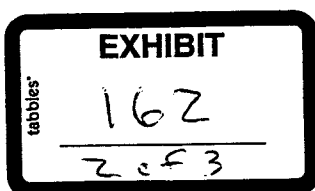
The FBI joined the Park Police in the initial stages of the inquiry into Vince Foster's death because of his status as a federal official and assassination statutes. As it became apparent that this was a suicide, the FBI gradually assumed a secondary role to the Park Police. The bureau reentered the inquiry at our request to examine the handling of the note.

And with this, I think I should turn you over to Chief Langston.

Chief:

CHIEF LANGSTON: Good afternoon, ladies and gentlemen. The United States Park Police has completed its inquiry into the death of Vincent Foster and, as you are aware, that occurred on the 20th of July at Fort Marcy National Park. It's a component of the George Washington Memorial Parkway in Fairfax County, Virginia.

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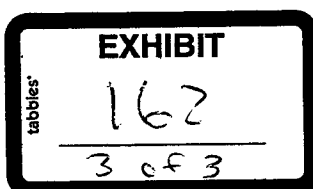
PRESS CONFERENCE WITH: PHILIP B. HEYMANN, DEPUTY ATTORNEY GENERAL; ROBERT LANGSTON, CHIEF, US PARK POLICE; ROBERT BRYANT, SPECIAL AGENT IN CHARGE OF THE WASHINGTON METROPOLITAN FIELD OFFICE, FBI; SUBJECT: REPORT ON DEATH OF VINCENT FOSTER, FORMER DEP. ASST. TO THE PRESIDENT, US JUSTICE DEPARTMENT  
F-10-02 page# 2 TUESDAY, AUGUST 10, 1993

MR. BRYANT: Ladies and gentlemen, I'm Bob Bryant, and I'm special agent in charge of the Washington metropolitan field office of the FBI, and I want to make a few brief comments to you.

First, what we have here is a great sad tragedy in our community, and it's -- initially when there is a death of a high government official that's covered by the assault or the assassination statutes, the FBI as a matter of course establishes liaison with the police agency that has the primary lead, in this case the United States Park Police. We followed this case from the time we were notified until we were basically of the opinion, along with Chief Langston's staff, that this was a suicide.

Subsequently, there was an issue raised about a note and the question of what the note -- the handling of the note and the processing of the note and its turnover to the United States Park Police or law enforcement.

MOFE



000584

**DEPOSITION OF THOMAS C. COLLIER, JR.  
IN RE: S. RES. 120**

**FRIDAY, JUNE 23, 1995**

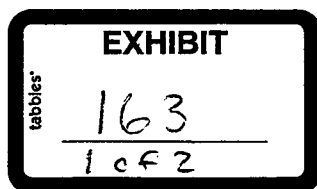
**U.S. SENATE,  
COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS,  
SPECIAL COMMITTEE TO INVESTIGATE WHITEWATER  
DEVELOPMENT CORPORATION AND RELATED MATTERS,  
Washington, DC.**

Deposition of THOMAS C. COLLIER, JR., called for examination pursuant to notice of deposition, at 9:20 a.m. in Room 534 of the Dirksen Senate Office Building, before PATRICIA A. ZUBER, a Notary Public within and for the District of Columbia, when were present:

**ROBERT J. GIUFFRA, JR., Esq.**  
Majority Chief Counsel  
**GLENN F. IVEY, Esq.**  
Minority Counsel  
**RICHARD BEN-VENISTE, Esq.**  
Minority Special Counsel  
U.S. Senate  
Committee on Banking, Housing, and Urban Affairs  
534 Dirksen Building  
Washington, DC 20510  
On behalf of the Committee.

**TIMOTHY S. ELLIOTT, Esq.**  
U.S. Department of the Interior  
Office of the Solicitor  
1849 C Street, NW, Mail Stop 6531  
Washington, DC 20240  
On behalf of the Deponent.

**ALSO PRESENT: SANDRA AISTARS-ANNUS  
VINCENZO A. DELEO**



000585

1 regular conversations with people at the White House  
2 in your job?

3 A Yes.

4 Q On a daily basis?

5 A Yes.

6 Q More than daily basis?

7 A More than daily basis.

8 Q Other than in the newspapers, have you  
9 ever -- did you ever hear anything about the removal  
10 of a box from Vince Foster's office?

11 A That's where I thought you were headed  
12 before.

13 No, and I am confident that I never did  
14 hear that. And I was surprised to see it recently  
15 being expressed in the newspapers because I several  
16 times asked the Park Police whether they got access  
17 to everything they wanted, whether there were any  
18 other access concerns, et cetera, et cetera,  
19 et cetera, and I was assured ultimately that there  
20 were not. And this issue never came up.

21 Q Who were the assurances from?

22 A The chief.

1 Q Are you aware of any contacts between  
2 anyone from the Department of Justice and the Park  
3 Police, direct contacts rather than through you?

4 A Oh yeah, a bunch.

5 Q Okay. Could you --

6 A I'm just aware that there were discussions.

7 Q You don't remember any of the specifics?

8 A No, but I'm confident there were some.

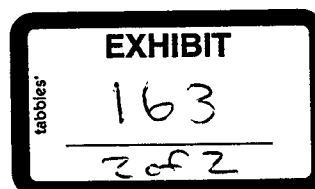
9 Q And would those communications have been  
10 through Chief Langston or also --

11 A I have no idea.

12 Q No idea.

13 A The FBI and the Park Police ended up  
14 working on this kind of hand in glove, so I know that  
15 that's the Department of Justice, so there certainly  
16 were those contacts at that level. And I believe  
17 there were contacts with attorneys in Justice  
18 Department also.

19 Q Did you have any discussions with anyone  
20 from the Justice Department when the Park Police and  
21 Justice Department released the, I guess it was a  
22 determination that Foster had died through a suicide?



**DEPOSITION OF PAUL B. IMBORDINO  
IN RE: S. RES. 120**

**THURSDAY, JUNE 22, 1995**

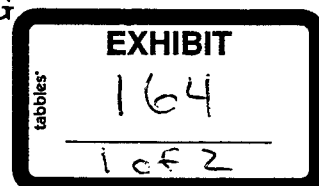
**U.S. SENATE,  
COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS,  
SPECIAL COMMITTEE TO INVESTIGATE WHITEWATER  
DEVELOPMENT CORPORATION AND RELATED MATTERS,  
Washington, DC.**

Deposition of PAUL B. IMBORDINO, called for examination pursuant to notice of deposition, at 9:33 a.m. in Room 534 of the Dirksen Senate Office Building, before JULIE BAKER, a Notary Public within and for the District of Columbia, when were present:

**EVERETT C. JOHNSON, JR., Esq.**  
Majority Deputy Special Counsel  
**NEAL E. KRAVITZ, Esq.**  
Minority Principal Deputy Special Counsel  
U.S. Senate  
Committee on Banking, Housing, and Urban Affairs  
534 Dirksen Building  
Washington, DC 20510  
On behalf of the Committee.

**TIMOTHY M. FOLEY, Esq.**  
**BILL CLANCY, Esq.**  
U.S. Secret Service  
Office of Chief Counsel  
1800 G Street, NW  
Room 842  
Washington, DC 20223  
On behalf of the Deponent.

**ALSO PRESENT: NGUYEN-HONG HOANG  
VINCENZO A. DELEO**



**000587**

1 present, but you don't today recall which one it was?

2 A Correct.

3 Q And whatever the name of the attorney who  
4 was present, what was your understanding of why he  
5 was present?

6 A I believe he was there for the purpose of  
7 being with the staff person that was being  
8 interviewed.

9 Q Who conducted the interviews?

10 A Park Police and FBI.

11 Q Did they sort of do it jointly, as you  
12 observed it?

13 A If my memory is right, yes.

14 Q Was it clear that one or the other was  
15 taking the lead, as you witnessed it?

16 A The specifics, I don't recall, but in the  
17 normal process, one would normally ask the question.

18 Q How long do you suspect the interviews  
19 were?

20 A 15 minutes, half an hour, if my memory is  
21 right. Nothing in my mind recalls that it was an  
22 extraordinary amount of time.

1 Q Other than the people you identified, did  
2 anyone else come into the interviews during their  
3 course?

4 A Not that I recall.

5 Q Do you remember whether or not Mr. Nussbaum  
6 came into one of the interviews?

7 A I don't recall seeing him.

8 Q In the interviews in which you were  
9 physically present, did either the Park Police or the  
10 FBI ask the White House staff members who were being  
11 interviewed whether or not they had been in  
12 Mr. Foster's office?

13 A I don't recall them asking that.

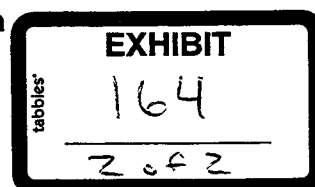
14 Q And whether or not they asked, do you  
15 recall whether anyone being interviewed stated that  
16 they had or had not been in Mr. Foster's office after  
17 the time of his death?

18 A I do not recall that either.

19 Q No recollection one way or the other?

20 A No recollection.

21 Q Do you recall whether the attorney  
22 present -- I know you don't recall specifically which



## FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/5/93

MARGARET A. WILLIAMS, Chief of State for the First Lady, the White House, Washington, D.C., was advised of the identities of the interviewing agents and informed of the nature of the interview. WILLIAMS provided the following information:

WILLIAMS advised that on the evening of July 20, 1993, she was at home when at approximately 9:30 p.m., she received a telephone call from First Lady HILLARY CLINTON who told her that VINCENT FOSTER was dead of an apparent suicide. After being notified, WILLIAMS left her home and travelled to her office in the West Wing of the White House. WILLIAMS' primary purpose for travelling to the White House was that she did not have the First Lady's schedule for July 21, 1993 and she did not know if any of the scheduled events would need to be canceled. WILLIAMS arrived at the White House at approximately 11:00 p.m. at which time she went to the Press Office and spoke to several individuals there. She then went to the second floor where she observed that several of the cleaning people were standing in a hall. WILLIAMS then went to VINCENT FOSTER's office where she observed that PATSY THOMASSON was in the office and was sitting at FOSTER's desk. THOMASSON conducted a cursory search of the items on FOSTER's desk which included picking up and looking through some papers which were located on the desk. THOMASSON stated that she had hoped to find a note or something which would give comfort to LISA FOSTER, VINCENT FOSTER's widow. WILLIAMS remained in FOSTER's office for approximately ten minutes and then WILLIAMS departed FOSTER's office. During the time that WILLIAMS was there she did not see THOMASSON find a note on FOSTER's desk. THOMASSON remained in FOSTER's office after WILLIAMS left.

WILLIAMS advised that she is aware that a note had been found which was relevant to VINCENT FOSTER's suicide. WILLIAMS emphasized that she learned of the notes existence only through reading the newspapers and she has no other knowledge of the note that was found.

Investigation on 8/3/93 at Washington, D.C. File # WMFO 175B-WF-187743

→ SA CHARLES K. DORSEY

by SA SCOTT M. SALTER:plj

Date dictated 8/4/93

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

44

EXHIBIT

165

0589

4238

Memorandum  
U.S. Secret Service

Date: August 3, 1993

Reply To  
Attn Of:

Subject: F.B.I. Inquiry

To: SAIC - Technical Security Division

This memo is to inform you of the inquiry by the Federal Bureau of Investigation regarding Mr. Foster's suicide. I was contacted today by Special Agent F.B.I. - W.F.O., my wife's cousin. He called me at approximately 10:30 a.m. and left a message for me to call him. I returned his call at approximately 11:00 a.m.. He asked me if we could go out to lunch today that he was going to be in the area. I said sure and that I would be done by 12 noon. He said he would meet me outside. We met and went to Wendy's for lunch.

On the way to Wendy's he began to ask me questions about Mr. Foster. He was asking general questions that stemmed from a conversation that had started on July 31, 1993 at S.A. residence at a family get together.

On July 31, 1993 my wife and I went to S.A. residence for a family birthday party. During the party S.A. asked me how work was going. He asked what I did for the Secret Service. I informed him that I maintained the alarms, locks, video and other equipment for the White House and the Executive Branch of the Government. He then went on to ask me about my last trip to Little Rock, Arkansas and what we do on protective trips. I informed him as to what T.S.D. responsibilities were on the road. From this conversation he asked me if I had ever met Mr. Foster. I informed him that I had run into him while working on alarm trouble calls in the West Wing. He then went on to state that he and some other agents (5) were working on the Foster suicide. I told him that I had seen in the news that there was a note in his brief case. He then said that they were working some other leads on some info they had received. I said something to the effect "did it have anything to do with what you had found in his office?" He then said something about a second letter ... maybe? I said that it was strange to see such a clean office when I was over doing a lock survey with Both and I had made the comment that Mr. Foster must have planned the suicide well in advance if his office was this clean. Then upon leaving Mr. Foster's office the Uniform Division Officer informs and I that his office had been inspected by the F.B.I. and that was the reason for the Officer there and the lock request to seal the office for the investigation. The officer then told us that the F.B.I. had removed evidence from Mr. Foster's desk. Never inferring to what that evidence was. This was the end of the conversation on July 31, 1993.

It was from the above conversation that S.A. started to question my being in and around Mr. Foster's office after the suicide. He wanted to know how long was I in there, did I see anything? Did I hear anything, etc. I informed him as to the reason I was there and approximately that I was there the first time for about 2 seconds, later returning for approximately 2-3

//  
6241

EXHIBIT

tabbles

166

000590

2554

FEDERAL SECURITY SYSTEMS  
FY 93 WORK ORDERS



BPA / 93 - 0125  
CALL NUMBER

DATE ASSIGNED: 7/21/93

REQUESTED BY: KMR

151

TSD WORK ORDER 93- \_\_\_\_\_

OFFICE CODE TSD

SERVICES REQUESTED: INSTALL DEADBOLT ON 2ND  
WEST WING OFFICE

LOCATION: White House

CONTACT NAME: Kevin Robbins PHONE: 395-6074

REQUEST GIVEN TO: MIKE WALLER DATE: 7/22/93

DATE COMPLETED: 7/21/93 @ 2230 hrs. ←

REMARKS: JOB DONE AFTER NORMAL WORKING HOURS

CALL AMOUNT: \_\_\_\_\_

INVOICE NUMBER: \_\_\_\_\_

DATE INVOICE APPROVED: \_\_\_\_\_ BY WHOM: \_\_\_\_\_

EXHIBIT  
167  
i c f z

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**FSS**  
 FEDERAL SECURITY SYSTEMS, INC.  
 152 A HILLWOOD AVE.  
 FALLS CHURCH, VA 22046  
 FID # 54-1540287  
 (703) 241-4575 FAX (703) 241-4577

ISS ACCT NO  
 Called In by Kevin Robbins  
 Date 7-21-93  
 Phone: 202 395-6074

Job Location White House West Wing 2nd Fl.  
 Work Requested F/E Deadbolt Lock

P.O. Call # 181  
 Contact Kevin Robbins  
 Phone #

| QTY | PART NO | DESCRIPTION       | UNIT PRICE | AMOUNT | QTY | DESCRIPTION OF LABOR      | UNIT PRICE | AMOUNT |
|-----|---------|-------------------|------------|--------|-----|---------------------------|------------|--------|
| 1   |         | Mo-rtise Deadbolt |            | 60.00  |     | Emergency Service To      |            |        |
|     |         |                   |            |        |     | Furnish & Install Mortise |            |        |
|     |         |                   |            |        |     | Deadbolt Lock.            |            |        |

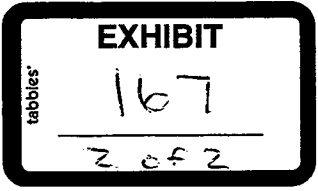
**APPROVED**  
*Kevin Robbins*  
 8/3/93

|                          |                     |                      |                     |                      |                                        |
|--------------------------|---------------------|----------------------|---------------------|----------------------|----------------------------------------|
| Technician<br><u>Bud</u> | Date<br><u>7/21</u> | Travel<br><u>1/2</u> | Time<br><u>8:00</u> | Rate<br><u>11.00</u> | TOTAL LABOR<br><u>294.00</u>           |
|                          |                     |                      |                     |                      | TOTAL MATERIAL<br><u>60.00</u>         |
|                          |                     |                      |                     |                      | FREIGHT<br><u>00</u>                   |
|                          |                     |                      |                     |                      | DC TAX<br><u>00</u>                    |
|                          |                     |                      |                     |                      | MD TAX<br><u>00</u>                    |
|                          |                     |                      |                     |                      | VA TAX<br><u>00</u>                    |
|                          |                     |                      |                     |                      | TOTAL PAY THIS AMOUNT<br><u>354.00</u> |

Warranty Statement: We guarantee our work and parts installed by us against failure due to normal usage for a period of ninety (90) days. (All claims MUST be accompanied by this receipt.)  
 Terms: Net 30 days

1 Original Invoice & Remittance  
 1 File Copy  
 1 Customer Copy

DATE COMPLETED 7-27-93  
 SIGNATURE Complete



ONE HUNDRED THIRD CONGRESS

# Congress of the United States

## House of Representatives

COMMITTEE ON GOVERNMENT OPERATIONS

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

### SUMMARY REPORT BY

**WILLIAM F. CLINGER, JR**  
Ranking Republican  
Committee on Government Operations  
U.S. House of Representatives

on the

### DEATH OF WHITE HOUSE DEPUTY COUNSEL VINCENT W. FOSTER, JR.

**August 12, 1994**

William F. Clinger, Jr., Ranking Republican  
Matthew Fletcher, Republican Staff Director  
Kevin M. Sabe, Republican General Counsel  
Lisa Odle Kautman, Republican Special Counsel



000593

## **BACKGROUND**

On February 24, 1994, I began a probe into the death investigation of White House Deputy Counsel Vincent W. Foster, Jr. In part, this investigation was prompted by the numerous conflicting accounts reported by various news agencies.<sup>1</sup>

What I have found during our extensive review is that a significant number of those news accounts were simply untrue or otherwise easily explained. In the final analysis, I reached the same conclusion as that of the U.S. Park Police and Special Counsel Robert B. Fiske, Jr.; namely, that on July 20, 1993, Vincent W. Foster, Jr. died from a self-inflicted gunshot wound to the mouth while at Fort Marcy Park (Fairfax County), Virginia.

As part of our probe, my staff or I interviewed emergency medical personnel from Fairfax County, Virginia, law enforcement officials, and other persons involved in the U.S. Park Police investigation of Mr. Foster's death. In addition, the Government Operations Committee was provided access to the theretofore undisclosed U.S. Park Police Report on the Foster death along with photographs taken at both the scene and the autopsy.

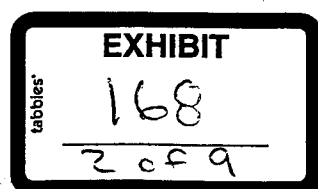
I initiated this investigation in my role as Ranking Republican to the Committee on Government Operations. It was conducted under the authority of Rule X of the Rules of the House of Representatives, which charges the Committee on Government Operations with responsibility for conducting reviews of the management and effectiveness of government operations and activities. Also, pursuant to 5 U.S.C. Sec. 2954, executive branch agencies are required to provide "any information. . . relating to any matter within the jurisdiction of the committee" when requested by any seven members of the Committee.

The purpose of this report is to provide a summary of this probe into the investigation of the death of Vincent Foster to my colleagues on the Government Operations Committee and in the House of Representatives. I also hope that this summary report, along with the detailed findings of Special Counsel Robert Fiske, will put to rest any lingering questions regarding the events of July 20, 1993.

## **FORENSIC EVIDENCE SUPPORTS SUICIDE**

### **Respected Pathology Panel Reviews Physical Evidence**

A review of the facts surrounding the death of Mr. Foster must start with (1) the overwhelming amount of forensic evidence supporting the conclusion that he died of a suicide, and (2) the stature of those brought in to review the autopsy results. Contrary to the belief of some commentators, the forensic pathology team ("Pathology Panel") working with Special Counsel Robert B. Fiske, Jr. did not rely solely on the autopsy conclusions of the Northern Virginia Medical Examiner, Dr. James C. Beyer.<sup>2</sup> Rather, the Pathology



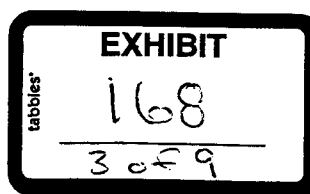
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Panel independently concluded that Mr. Foster committed suicide on July 20, 1993 at Fort Marcy Park, Virginia after their own review of the available evidence.<sup>3</sup>

The determination of the Pathology Panel organized by Special Counsel Fiske was based on independent observations and testing of Mr. Foster's soft palate, a review of the photographs taken at Fort Marcy Park and during the autopsy, a review of FBI lab reports, and an examination of Mr. Foster's clothing. The same or comparable evidence was available to the Pathology Panel as would have been available had they been present at the original autopsy. The Pathology Panel determined that the decedent's body did not need to be exhumed because numerous tissue samples were saved and available for examination.

### Summary of Forensic Evidence

- It is indisputable that the gun was fired while in Mr. Foster's mouth. This conclusion is supported by the nature of the wound in the mouth and head as well as the smoke and gun powder residue found in the soft palate of the mouth. The report issued by Special Counsel Fiske discusses this forensic evidence in considerable detail. That being the case, one of two conclusions remain: (1) Mr. Foster committed suicide, or (2) Mr. Foster was forced to put the gun in his mouth and pull the trigger.<sup>4</sup>
- The uncontested evidence supports the conclusion that Mr. Foster placed the gun in his mouth himself. There were no signs of a struggle at Fort Marcy Park, no bruises on Mr. Foster's body or tears in his clothing, and no broken teeth. Moreover, Mr. Foster was not under the influence of any controlled substances or alcohol that may have been used to render him helpless. Lab reports reveal that no alcohol or controlled substances were found in Mr. Foster's bloodstream.<sup>5</sup>
- The conclusion that Mr. Foster committed suicide is also supported by the marks left on Mr. Foster's thumb and forefinger. Consistent with the testimony of the Fairfax County paramedics, Mr. Foster's thumb was trapped by the trigger guard. The remaining mark is consistent with the rebound of the trigger. Because the indentation on Mr. Foster's thumb matches exactly with the rebound of the trigger, it would have been virtually impossible to artificially make such a mark. Similarly, the imprint on Mr. Foster's forefinger is identical to the imprint on the back of the gun. The powder burns also support a finding of suicide.
- Along with select members of my staff, I had complete access to photographs taken at Fort Marcy Park and during the Northern Virginia Medical Examiners autopsy. These photographs support statements by the U.S. Park Police and the Pathologist Panel regarding the location of the body, trigger guard marks, and gunpowder residue.



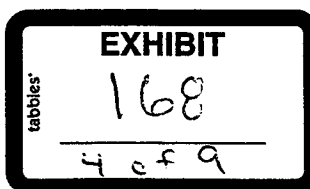
## **NO EVIDENCE SUPPORTS MOVEMENT OF BODY**

Although the forensic evidence indicates that Mr. Foster committed suicide, several issues not addressed in satisfactory detail by Special Counsel Fiske have been of concern to some commentators. They are addressed below:

### **Movement of the Foster Body**

First, a major concern is the possible movement of Mr. Foster's body after he died. As reported, the amount of blood on and surrounding Mr. Foster's body at Fort Marcy Park was not substantial.

- It is apparent that the lack of a substantial amount of blood was the direct result of the position of Mr. Foster's body at the time of death. Because Mr. Foster was lying on an angle, the blood drained downward instead of encompassing his entire body. However, the paramedics who lifted Mr. Foster's body and placed it in the body bag for transport to the hospital recorded that the body was "drenched with blood" once it became level. By the time the body bag was opened at the hospital, Mr. Foster's shirt and undershirt were covered in blood.
- The bloodstain on the right shoulder of Mr. Foster's shirt is admittedly difficult to explain but not determinative that the deceased was moved after he committed suicide. Any number of facts would explain the bloodstain; perhaps the head was moved by the Park Police or emergency personnel on the scene. Regardless of what caused the bloodstain, however, it cannot be disputed that if the body was moved into the park additional signs would support that conclusion. Mr. Foster's clothing was drenched with blood once he was moved to the hospital. His clothing would have been equally drenched if he had been moved into the park.
- Commentators have also made issue with the lack of skull fragments found at the scene suggesting it also supports the conclusion that Mr. Foster was moved to the park. The scene was not searched for bone fragments, however, until approximately nine months after Mr. Foster's death. Although it is not surprising that numerous objects were found at the scene, such as Civil War artifacts, skull fragments are animal matter. As such, they could have been moved by scavenging animals or even washed away. There was not a large amount of fragments that were missing as the exit wound was only 1 1/4 by 1 inch in diameter. Likewise, the bullet was never found, but one need only visit Fort Marcy Park to understand that the bullet could have fallen anywhere in the park. The fact that it was not located is not determinative in light of the previously discussed forensic evidence.
- The lack of fingerprints on the gun found in Mr. Foster's hand has also been used to suggest that he did not fire the weapon or that his body had been moved and the



gun was later placed in his hand. Pathologists have suggested, however, that fingerprints are not always identifiable. Other factors, such as the amount of oils on the decedent's fingers, the humidity, and the temperature may result in fingerprints not remaining on an object.

### Statements by "CW" Contradicted or Easily Explained

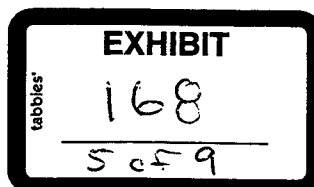
Recent statements of the so-called Confidential Witness ("CW") appears to be in question. CW is the reference to the man driving a white van who initially found Mr. Foster's body in Fort Marcy Park around 6:00 p.m. He has asked that his identify be kept confidential.

A comparison of CW's statements to FBI agents working for Special Counsel Fiske, as reflected in the Fiske report, and those statements given under oath to Representatives Dan Burton, John Mica and Dana Rohrabacher reveal that the substance of each statement is very similar, if not identical.

-- In both instances, CW insists that the palms of Mr. Foster were facing upward and there was no gun in Mr. Foster's hand when CW found the body.<sup>6</sup> However, in both instances, CW acknowledged that from the position he was standing, it was possible that if Mr. Foster had a gun in his hand, CW could have missed it. Special Counsel Fiske's report states, "CW acknowledges that, because of his position at the top of the berm and the heavy foliage, there could have been a gun in the man's hand that he did not see."<sup>7</sup>

CW reiterated this point in his sworn statement when he acknowledged that "a trained policeman standing at the top of the hill that [sic] even when he [the policeman] was told he [Mr. Foster] had a gun in his hand still did not see it [the gun]. I cannot . . . say, I would have seen it [the gun]."<sup>8</sup> Because my staff and I had access to photographs taken at Fort Marcy Park, we carefully reviewed a photo taken from roughly the same location that CW claims to have stood. Because of the dense foliage that was clearly seen in the picture, Mr. Foster's hands could not possibly have been seen without moving to his side. CW admits that he did not move to Mr. Foster's side to examine Mr. Foster's hands.

-- Questions have also been raised about the alleged existence of a wine cooler bottle near Mr. Foster's body and a stain on Mr. Foster's shirt which appeared to be a combination of wine and vomit. These assertions were made by the CW. The lab reports conducted on Mr. Foster's shirt reveal that the stain was purely blood and no traces of wine or vomit were found. The U.S. Park Police asserts that no wine coolers were found near Mr. Foster's body, but wine coolers were in an automobile located in the parking lot but not belonging to Mr. Foster. Additionally, no alcohol was found in Mr. Foster's bloodstream.



- Questions have been raised regarding a discrepancy between CW's recollection of the various contents of the two cars located in the parking lot at Fort Marcy Park the afternoon of Mr. Foster's death. All parties involved agree that there were two cars in the parking lot -- one belonged to Vincent Foster and was grey in color and the other was a white Honda. According to CW, inside the white Honda were two wine coolers and a jacket that matched the pants CW saw on Vincent Foster.

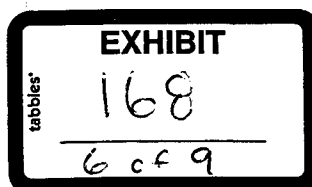
In contrast, the U.S. Park Police investigation (at the time of the death) and Special Counsel Fiske's investigation (nine months later) both determined, based on information from the owner and passenger of the white Honda, that the wine coolers were in fact in their car. As well, no jacket was in their car despite the testimony of the CW. The U.S. Park Police found the jacket matching Mr. Foster's pants in the car belonging to Mr. Foster.

- Also of concern is the statement by CW that the ground at the bottom of the berm where the body was found was trampled and worn. It would be impossible to determine, however, whether the ground was trampled by the footsteps of Mr. Foster pacing back and forth or by the footsteps of others.

#### Other Evidence of Marginal Value

- Several commentators have questioned the origin of carpet fibers found on Mr. Foster's body or clothes. Although the origin of those fibers and hair have not been substantiated, a determinative finding of the origin is not practical nor necessary in light of other overwhelming forensic evidence. Specifically, carpet fibers may be transmitted from almost any source. It would be impossible to determine when or where the carpet fibers found on Mr. Foster's clothing would have originated.
- Rumors have also arisen concerning a blond hair found somewhere on Mr. Foster's body, possibly on his undershorts. Prior to beginning the autopsy, Mr. Foster's clothing was removed and commingled together. Therefore, it is impossible to determine which piece of clothing the hair was originally attached.

The blond hair found on Mr. Foster could have come from anyone. Possibly, the hair belonged to his daughter who has long blond hair. The day of his death, Mr. Foster was driving the car typically driven by his daughter. Moreover, the morning of his death, Mr. Foster drove his daughter to work, leaned over and kissed her good-bye -- an act whereby a hair could have easily been transmitted. The hair could have also belonged to anyone of the guests at the swearing-in ceremony of FBI Director Louis Freeh which took place in the Rose Garden the day of Mr. Foster's death. Because the forensic evidence so conclusively points to a suicide, the origin of the blond hair is hardly relevant.



- Another area of concern seems to be the existence of semen found on Mr. Foster's undershorts. Those who suggest that the presence of semen demonstrates that a sexual liaison occurred on the afternoon of Mr. Foster's death ignore the testimony of medical experts who suggest that it is not uncommon for an individual, at the time of death, to defecate, urinate, or even ejaculate.
- Finally, some have questioned why Mr. Foster's body was not exhumed. Based upon the uncontroverted forensic evidence coupled with the pain such a procedure would understandably cause the Foster family, it was determined that Mr. Foster's body need not be exhumed. As suggested above, the Pathology Panel reasonably determined that sufficient evidence was preserved to allow them to conduct their own independent review.

### CONCLUSION

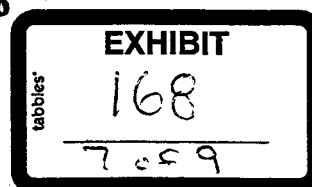
I must agree that not every question regarding the death of White House aide Vincent Foster has been definitively answered. Nonetheless, I have reached the conclusion that all available facts lead to the undeniable conclusion that Vincent W. Foster, Jr. took his own life in Fort Marcy Park, Virginia on July 20, 1993.

Perhaps the unexpected death of any high government official will needlessly bring cries of conspiracy from many in our society. That is unfortunate. The death of Mr. Foster has been reviewed in detail by the experienced professionals at the U.S. Park Police, who were performing their tasks under extremely difficult circumstances. Special Counsel Robert Fiske took that investigation one step further by establishing a panel of noted forensic pathologists who reviewed all of the available evidence and reached the same conclusion as that of the Park Police. I reviewed the work of these two organizations and, with this report, support their findings.

Accordingly, this report closes the Government Operations Committee minority investigation on this stage of the death of Vincent Foster. The focus of this probe will now turn to the second portion of the investigation dealing with the handling of Mr. Foster's documents and the potential obstruction of justice by White House staff in the days following Mr. Foster's death.

My special thanks to officials of Fairfax County, Virginia, the U.S. Park Police, and the Office of Special Counsel Robert B. Fiske, Jr. for their assistance in conducting this review.

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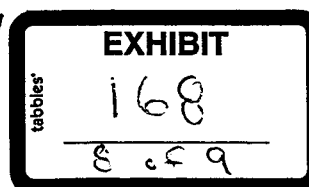


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## ENDNOTES

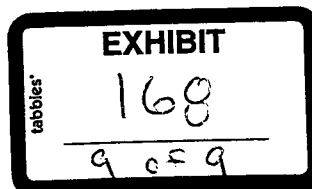
1. Despite an early determination by the U.S. Park Police that Vincent Foster had committed suicide, numerous news stories began to appear in early 1994 suggesting that the Park Police did not thoroughly perform their job or that the White House staff had improperly impeded the police investigation. These articles include:
  - On January 13, 1994, Washington Post reporter Michael Isikoff reports that DoJ and FBI agents have begun retracing the original handling of the Foster probe in a search for evidence that would shed light on his state of mind at the time of his death. Isikoff further reports that this effort began because the investigators were concerned that top White House aides may have hindered the U.S. Park Police from obtaining key evidence.
  - On January 27, 1994, the New York Post's Chris Ruddy reports that some of the first people to discover the body of Foster have raised new questions about the conclusion that it was a suicide. According to Ruddy, "The questions involve the position of Foster's body; the fact that the gun was still in Foster's hand and had no blood on it; the small amount of blood on and near the body; and the swiftness with which the death was declared a suicide."
  - In late January, 1994, the Wall Street Journal filed suit in U.S. District Court to "force the release of reports on White House lawyer Vincent Foster's death. The DoJ had earlier planned to release these reports."
  - On February 3, 1994, the New York Post reports that former FBI Director William Sessions said that the FBI "was kept out of the investigation into Vincent Foster's alleged suicide because of a 'power struggle within the FBI and the Department of Justice'". Sessions "said the FBI did not get involved in the probe for political reasons."
  - On February 4, 1994, ABC News's Jim Wooten reports that Secret Service records "show that the day after Foster died Nussbaum did take a photograph from the office and one of his assistants returned a trash bag previously removed from the office."
  
2. The autopsy was performed by Dr. Boyer. The autopsy was authorized by Dr. Donald Haut of the Office of the Chief Medical Examiner, Northern Virginia District, Commonwealth of Virginia. The Medical Examiner's Certificate, better known as a death certificate, is signed by Dr. Haut and lists the cause of death as "self-inflicted gunshot wound mouth to head."



3. The Forensic Pathologist Panel included four experienced and respected forensic pathologists. They include:
- (a) Dr. Charles S. Hirsch - Chief Medical Examiner for the City of New York.
  - (b) Dr. James L. Luke - Forensic Pathology Consultant, FBI Investigative Support Unit, FBI Academy.
  - (c) Dr. Donald T. Reay - Chief Medical Examiner for King County, Seattle, Washington.
  - (d) Dr. Charles J. Stahl - Distinguished Scientist and Armed Forces Medical Examiner, Armed Forces Institute of Pathology, Washington, D.C.

No evidence has been presented which would challenge the integrity of these experts.

- 4. Several commentators have argued that Mr. Foster's body, after he died, was moved to Fort Marcy Park. This issue will be addressed below.
- 5. Small traces of an anti-depressant, which Mr. Foster was known to have taken, was found in Mr. Foster's bloodstream.
- 6. Fiske report at 30; Deposition at 43.
- 7. Fiske report at 30.
- 8. Deposition at 19.



2252

Contractor-type van pulled into Turkey Run and a w/m advised them of a dead body by ~~by~~ the last cannon in Ft. Marcy. Despite repeated requests by [Sgt Myers] - NPS employee refused to identify himself. [Sgt Myers]

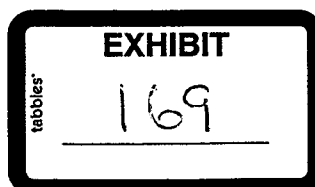
180530 - Call broadcast to 211 (at D-2)

181158 - 261 arrived at Ft. Marcy - Fairfax Fire was already there searching.

181432 - 261 found body and asked for  
CIB

181455 - 31 enroute to Ft. Marcy

181509 - 618 enroute to Ft. Marcy



000602

1

5/2/94 Wash. DC

Julie Lynn Spetz  
USDP



Officer 473m

7/20/93 Working 2-10 Shift

FF got to be a FF  
in 5th area calling  
number to 7/16  
had to park  
at  
Plymouth  
6:30  
pm

was in the magistrate's Ct 11 approx 1:30  
in work car in vicinity of Glen Echo <sup>Station</sup> over head  
dispatcher calling Frank Fossil on car 211 to respond  
to FMP near a DB. She automatically went to FMP  
to assist. She & FF were 2nd & 3rd USDP to arrive  
So bound to FMP - made turn across divider into  
the park. Noticed a disabled vehicle off to right  
on ramp leading into park. Drove into FMP lot  
observed 2 cars, one to her left and toward the ft  
of lot which she later learned was VF vehicle. Got recall  
color a white but does remember sub type. Another white  
car in rear of Pkey lot, can recall make or other descriptive  
the Ever vehicle (Condolene + Fire truck) drove parking lot  
day with USDP vehicles

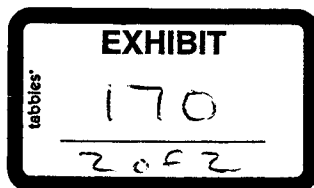
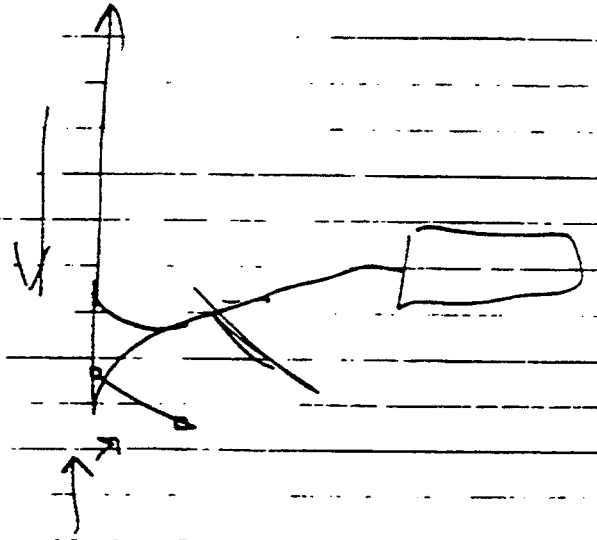
FF got to be a FF  
in 5th area calling  
number to 7/16  
had to park  
at  
Plymouth  
6:30  
pm

As she arrived EMT & firefighters were coming back  
to their vehicles ~~to~~ having already been up to death  
scene. She spoke briefly with two men, stating one  
reminded her that he didn't think it was suicide  
and would to effect that he'd seen a number of round  
and holes ~~up to~~ clean. Got to be of her recollection, she did  
not see USDP officers in Pkey area and she counted the officers were  
up where the body was located. FF had arrived before the body was  
She decided in her own to check the park in effort  
to locate occupants of vehicle parked in Pkey  
(at the time she was unaware if any of the cars  
belonged to FF) She followed a path being off to the  
right at the rear of the parking lot. Walked into the  
woods approx 50-75 yds. Noticed that  
No rec she recall the

to the left her car was in the direction, was from the  
1974

Off 5 never went up to the location where the body  
was found and thus never saw the body of UF.

After providing the ground reference [redacted] to Travis  
Randy NBT and Cheryl Brown, she left FMP,  
returning to her patrol.



189  
000604

**INVESTIGATION OF WHITEWATER  
DEVELOPMENT CORPORATION  
AND RELATED MATTERS**

**VOLUME I**

**TUESDAY, JULY 18, 1995**

**U.S. SENATE,  
COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS,  
SPECIAL COMMITTEE TO INVESTIGATE WHITEWATER  
DEVELOPMENT CORPORATION AND RELATED MATTERS,  
Washington, DC.**

The Committee met at 9:30 a.m., in room 216 of the Hart Senate Office Building, Senator Alfonse M. D'Amato (Chairman of the Committee) presiding.

**OPENING STATEMENT OF CHAIRMAN ALFONSE M. D'AMATO**

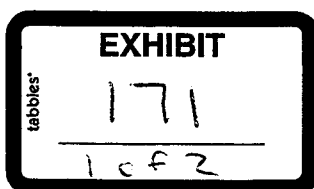
The CHAIRMAN. If the Committee will come to order. First, let me say that this has not been an easy process, but it is one that has been made much easier due to the cooperative efforts and manner in which my colleague, the Ranking Member, Senator Sarbanes, has worked with us, and we have worked in a cooperative effort to bring us to this point in terms of laying out the methodology and the scope of the hearings and the manner in which we would proceed. I would hope that we can continue in this manner. I have every confidence that we can discharge our duties in the manner that brings credit to the Senate and represents the best interests of all of our citizens.

We have agreed that each side will make opening statements for a half hour, then it will revert to 10 minutes to one side, 10 minutes to the other. We anticipate that each side will take up to an hour and a half before we get to our first witness.

Today the Senate Whitewater Committee begins its first round of public hearings. The Senate has authorized the Committee to ascertain the full facts about Whitewater and its many related matters. We intend to conduct fair, impartial and thorough hearings. That's what the American people want, expect and deserve.

Three years ago, the American people first learned of Whitewater, the Arkansas real estate development in which Governor Bill Clinton and Mrs. Clinton owned a 50 percent interest with Mr. James McDougal, the owner of the other 50 percent of Whitewater. Mr. McDougal was also the owner of Madison Guaranty, the Arkansas savings and loan that's at the heart of Whitewater. The whole story of Whitewater is very complicated. This matter

(1)



000605

Mr. BEN-VENISTE. Did you advise anyone there that evening that no note had been found?

Mr. ROLLA. I tell you, I don't know if anyone asked me that question. I don't remember. I may have told them.

Mr. BEN-VENISTE. If they asked you, you would have told them?

Mr. ROLLA. No, it was not a secret.

Mr. BEN-VENISTE. These people were grieving; they were looking to you for help as well as comfort from their friends and relatives; correct?

Mr. ROLLA. Yes; correct.

Mr. BEN-VENISTE. There wasn't any reason why you wouldn't tell them?

Mr. ROLLA. No, there would be no secret about it.

Mr. BEN-VENISTE. In fact, you've indicated that you did search for a suicide note at the scene of Mr. Foster's death?

Mr. ROLLA. We searched the scene, searched his person. His vehicle was on the scene.

Mr. BEN-VENISTE. You didn't search his person at the scene, did you?

Mr. ROLLA. After it was pronounced, we emptied his pockets. Yes, I did remove his personal property and search them.

Mr. BEN-VENISTE. At the scene or at the hospital?

Mr. ROLLA. At the scene. We went to the hospital because I happened to miss his car keys in his right front pants pocket.

Mr. BEN-VENISTE. So you made a cursory search of Mr. Foster's pants pockets, but you did not at that time locate the set of keys to the car?

Mr. ROLLA. That's correct. I neglected to turn his pocket inside out.

Mr. BEN-VENISTE. You did not find a note, clearly?

Mr. ROLLA. No, there's no note.

Mr. BEN-VENISTE. You looked in his suit coat, which was in the car, did you not?

Mr. ROLLA. Yes, I did.

Mr. BEN-VENISTE. You did not find any note in the suit coat?

Mr. ROLLA. No.

Mr. BEN-VENISTE. You looked in his car, did you not?

Mr. ROLLA. Yes.

Mr. BEN-VENISTE. You looked on the dashboard?

Mr. ROLLA. I searched the car, the trunk, the interior, the papers that were in the vehicle. There was no note.

Mr. BEN-VENISTE. You looked through the papers. You looked on the seats. Did you look under the seats?

Mr. ROLLA. Yes.

Mr. BEN-VENISTE. In the front and back?

Mr. ROLLA. Front and back.

Mr. BEN-VENISTE. Did you look under the carpet in the front?

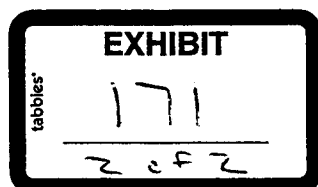
Mr. ROLLA. Under the mats.

Mr. BEN-VENISTE. You looked under the mats. Did you yank up the carpet?

Mr. ROLLA. No, I didn't pull up the carpet.

Mr. BEN-VENISTE. Did you look under the hood?

Mr. ROLLA. No.



000606

but checked return  
to party lot with Edward  
day to turn Rolla  
was at the death scene  
speaking to call your  
residence - gone 10 minutes  
\* Did not see Rolla  
take my polaroids.

• P. Simonatto did  
eventually arrive -  
and observed Peter take  
35m photograph, but  
didn't observe her  
take any photographs or  
touch the body.

• Possibly PAT Gamm  
arrived at scene

M.E. eventually  
arrived with general  
Drain - not in party lot  
recovers to take scene.

• Introduced  
M.E. to Rolla & Green

EXHIBIT  
172

183  
000607



**CONFIDENTIAL**

29D-LR-35063 SUB A

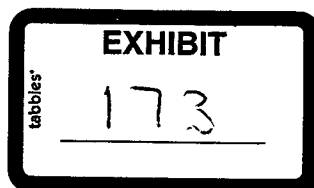
Continuation of FD-302 of \_\_\_\_\_, On 4/15/94, Page 2

complexion, dark brown or black curly hair worn short, 5'10" to 5'11" in height. \_\_\_\_\_ stated that he specifically remembers this individual since when he, \_\_\_\_\_ departed his vehicle, this male exited his vehicle and was closely watching him as he proceeded into the park to urinate. He further mentioned that this male was staring at him making him, \_\_\_\_\_ feel extremely nervous and uneasy. He could not further identify this particular individual nor his attire and stated that he would be unable to recognize him in the future.

\_\_\_\_\_ continued by stating that he proceeded into the park for approximately 200 feet where he relieved himself to the right of a trail. He then returned to his vehicle, which was a rental vehicle from Thrifty Rental, and once again observed the occupant of the second vehicle now inside the vehicle with the driver's window slightly down continuing to stare at him. \_\_\_\_\_ stated, however, that upon returning to the parking lot, he walked behind the brown Honda and peered inside the vehicle where he observed a dark-blue jacket draped over the driver's seat. He further stated that he observed in this Honda a leather briefcase or leather folder on the passenger side seat. He specifically recalls that this particular briefcase or folder was darker than the interior of the vehicle which, according to his recollection, was beige or light in color. \_\_\_\_\_ further added that he specifically remembers being surprised that anyone would leave a briefcase or folder on the front seat of an unattended vehicle. He could furnish no other descriptive data regarding this vehicle or for that matter the contents located within the vehicle.

\_\_\_\_\_ advised that, in his opinion, he was in the Fort Marcy Park no more than five minutes and remembers exiting Fort Marcy Park at approximately 4:30 pm and proceeding North on the George Washington Memorial Parkway. He stated he specifically remembers the time being 4:30 pm since the rental vehicle he was driving had a relatively large clock on the dash board. He advised that upon exiting Fort Marcy Park he did view in the right hand lane of the North bound George Washington Parkway a Ford passenger van which was slowing down and possibly could have made a right hand turn into Fort Marcy Park. Mr. \_\_\_\_\_ was unable to furnish any description of the occupant of this van nor any other identifying data regarding this vehicle.

\_\_\_\_\_ was shown a series of photographs depicting Mr. Vincent Foster's four door Honda, Arkansas license



OIC 000149

000608

**DEPOSITION OF CHERYL A. BRAUN  
IN RE: S. RES. 120**

**MONDAY, JUNE 19, 1995**

**U.S. SENATE,  
COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS,  
SPECIAL COMMITTEE TO INVESTIGATE WHITEWATER  
DEVELOPMENT CORPORATION AND RELATED MATTERS,  
Washington, DC.**

Deposition of CHERYL A. BRAUN, called for examination pursuant to notice of deposition, at 10:00 a.m. in Room 534 of the Dirksen Senate Office Building, before JULIE BAKER, a Notary Public within and for the District of Columbia, when were present:

**ROBERT J. GIUFFRA, JR., Esq.**

Majority Chief Counsel

**GLENN F. IVEY, Esq.**

Minority Counsel

U.S. Senate

Committee on Banking, Housing, and Urban Affairs

534 Dirksen Building

Washington, DC 20510

On behalf of the Committee.

**STEPHANIE LYNCH, Esq.**

U.S. Department of the Interior

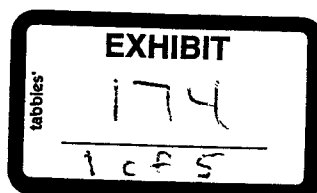
Office of the Solicitor

1849 C Street, NW, Mail Stop 6531

Washington, DC 20240

On behalf of the Deponent.

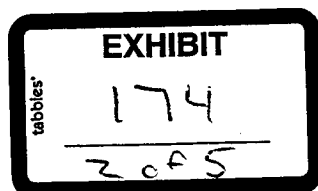
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000609

1 area where the body was found?  
 2 A Right.  
 3 Q Did you put up police tape or something  
 4 around it?  
 5 A We closed the gate to the park area.  
 6 Q You closed the entire park?  
 7 A Right.  
 8 Q Was any consideration given at that  
 9 point -- and that would be about 6:00 or 7:00 in the  
 10 evening -- to sealing Mr. Foster's office?  
 11 A I didn't know who he was at that point.  
 12 Q Then I believe you went to the hospital; is  
 13 that correct?  
 14 A That's correct.  
 15 Q And you went to the hospital -- did you  
 16 pick up anyone or did you just go to the hospital  
 17 with the body?  
 18 A John and I went to the hospital after the  
 19 body had been transported to the hospital.  
 20 Q Did anyone go with you to the hospital?  
 21 A Just John and I.  
 22 Q At the hospital I believe you met someone

1 by the name of Kennedy?  
 2 A No, we spoke to them on the telephone.  
 3 Q You spoke to them on the telephone?  
 4 A Right.  
 5 Q Or Mr. Livingston?  
 6 A John talked to, I believe, it was Kennedy,  
 7 but you're going to have to check with John.  
 8 Q They were not present at the same time you  
 9 were present at the hospital?  
 10 A No, they were not.  
 11 Q Do you know whether -- although that point,  
 12 were you told who the decedent was?  
 13 A Yes, at that point we knew he was deputy  
 14 counsel.  
 15 Q Was there any discussion amongst  
 16 yourselves, with anyone in the Park Police or with  
 17 anyone from the White House on the need to seal  
 18 Foster's office at that point?  
 19 A At that point, no.  
 20 Q Did there come a time when you ever asked  
 21 either Kennedy or Livingston to seal Foster's office  
 22 at the White House?



1 commander that you should contact David Watkins?

2 A Right. That was when we were going to the  
3 hospital.

4 Q On the way to the hospital. And did your  
5 shift commander say who David Watkins was?

6 A He said he worked in the counsel's office  
7 with Foster and that he was also a friend of the  
8 family.

9 Q Did he say anything else?

10 A Not that I recall.

11 Q And you were given Watkins's telephone  
12 number or beeper number?

13 A Phone number.

14 Q And you then called Watkins as you were  
15 driving to the hospital?

16 A Rolla did. I was driving.

17 Q And do you know what that conversation was?

18 A Basically it was his requesting to do the  
19 notification with us since he was a friend of the  
20 family and us agreeing and getting directions to pick  
21 him up.

22 Q Did you assume that he was an important

1 person at the White House at that point?

2 A Uh-huh.

3 Q What led you to believe that he was an  
4 important person at the White House?

5 A Well, when they told me he was in the  
6 deputy counsel -- he was the deputy counsel.

7 Q You were told he was the deputy counsel?

8 A Right.

9 Q And you believed he worked in the White  
10 House counsel's office?

11 A Yes. David Watkins? Yes.

12 Q Did he say anything to you that made you  
13 believe that he worked in the White House counsel's  
14 office?

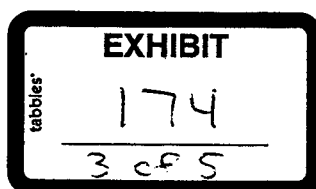
15 A I don't remember. I know he gave me his  
16 card, which I don't have -- it was in the file --  
17 which I imagine that had information on it.

18 Q So you got a copy of his business card?

19 A Right. He gave it to us.

20 Q And I believe this is in the record. You  
21 picked him up at his Georgetown home?

22 A Correct.



1 Q Did you also give Lieutenant Gavin William  
2 Kennedy's name?

3 A Yes.

4 Q Do you know if he was at that time a member  
5 of the White House counsel's office?

6 A Yes, I believe he was.

7 Q What about Craig Livingston?

8 A That was in combination with Mr. Kennedy's  
9 name. They wanted to go to the hospital.

10 Q Did he indicate whether Livingston was in  
11 the White House counsel's office?

12 A It was my impression that they both were.

13 Q By "in the White House counsel's office,"  
14 did he mean physically or that's where they were  
15 assigned?

16 A Assigned.

17 Q Why is it that you took Watkins to the  
18 death notification?

19 A I took him for the purpose that it makes  
20 notifications easier a lot of times if you have  
21 somebody who is close to the family and they can  
22 assist them with their grieving and make phone calls

1 for them, things like that.

2 Q I guess you understand that the number got  
3 a little bigger than you planned?

4 A Yes, I had no idea anyone other than  
5 Mr. Watkins and his wife would be there. When they  
6 came down the street as we were going -- up the  
7 street from the other direction almost to the steps  
8 when we saw them coming, we had no knowledge that the  
9 rest of these people would be coming.

10 Q And why did you believe that the Watkinses  
11 were friends of the Fosters?

12 A Mrs. Watkins had played tennis earlier in  
13 the day with Elizabeth Foster.

14 Q And at the time you picked him up, you  
15 hadn't spoken with anybody about sealing Foster's  
16 office yet?

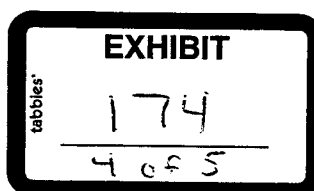
17 A No.

18 Q That was approximately 10:00?

19 A Thereabouts.

20 Q What time did you clear the death scene?

21 A I don't recall specifically. Is it -- I  
22 think it was somewhere in the neighborhood of like



1 8:30, but I don't recall the specific time.

2 Q Let me refer you to Investigator Rolla's  
3 report, page 2124 of the hearing report. What time  
4 did he arrive?

5 A I have 20:45.

6 Q Which is 8:45 in regular people time?

7 A Correct.

8 Q So what did you do between 8:45 and 10:00?

9 A We went to the hospital and then from the  
10 hospital to Georgetown and driving up M Street was  
11 like pulling teeth. Then to Mr. Watkins's House and  
12 from there to the Fosters's House.

3 Q So you went -- when you got to the hospital  
4 you went straight to pick up Watkins?

5 A Right.

6 Q After you picked him up, you went straight  
7 to the Foster home?

8 A That's correct.

9 Q Now, after you got to the Foster home and  
10 you made the death notification, Investigator Rolla  
11 made the death notification, you testified earlier  
12 there were a lot of phone calls being made?

1 A Right.

2 Q But you couldn't tell who the calls were  
3 being made to?

4 A Right.

5 Q Did you have any particular interest into  
6 who the phone calls were being made to?

7 A Not really.

8 Q Why is that?

9 A Well, we were dealing with a high-level  
0 White House official, so notification had to have  
1 been made and that was probably part of what was  
2 going on.

3 Q Why did you feel notifications had to be  
4 made?

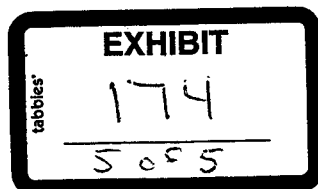
5 A For the same reason that I had to make  
6 notifications.

7 Q You mean press matters?

8 A Uh-huh, interest in inquiry.

9 Q Did you have the sense that anything  
0 sinister was going on when these phone calls were  
1 being made?

2 A No.



2516

NATIONAL PARK SERVICE  
SUPPLEMENTAL CRIMINAL INCIDENT RECORD

JUVENILE CASE 0

|                           |           |      |             |
|---------------------------|-----------|------|-------------|
| Agency                    | Case No.  | Year | Case No.    |
| United States Park Police | 0 7 0 9 3 | 9 3  | 0 3 0 5 0 0 |

RESULTS OF INVESTIGATION

Addendum 08/05/93

The decedent was dressed in a white long sleeve button down dress shirt, white undershirt, dark blue dress pants with blue pin stripes, black dress shoes, black socks and a black belt. The decedent was wearing a Seiko watch with a gold colored face and brown leather band on his left wrist; a silver colored metal ring with a white stone on his right ring finger; a gold colored metal ring, band type, on his left ring finger. The inscription "E.B.B. to V.W.F. 4/20/68" was on the inside of the ring. The decedent also had a Motorola Bravo style pager on his right side waist area. The letters WHCA were inscribed on the side. The pager was turned off. A pair of brownish colored plastic framed glasses were found approximately thirteen feet west of the decedent.

At approximately 1940 hours, Fairfax Co. Coroner Donald Haut arrived on the scene and examined the decedent. I rolled the decedent over and observed a large blood stain three quarters down the back of the decedent's shirt. I observed trauma to the center portion of the back of the decedent's head. The skull appeared to be fractured from the inside out. McLean VFD M1 and Fairfax Co. engine 1 responded to the scene to transport the decedent to Fairfax Hospital.

After further investigation of the Grey Honda Accord, a brown leather wallet with an Arkansas driver's permit to Vincent Foster, Jr. was located in the suit jacket inside pocket. This and other photo identifications for Vincent Foster were inside of the wallet. The photos on the identifications appeared to be of the decedent. A white House identification badge with photo to Vincent Foster was located on the front passenger seat under the suit jacket. Cleared the scene at approximately 2045 hours.

NOTIFICATION:

At approximately 2200 hours Inv. Braun and myself responded to the residence of Vincent Foster, at 3027 Cambridge Pl., NW, D.C., to make notification to his family. Inv. Braun and myself brought David Watkins, an associate and personal friend of Mr. Foster's with us to make notification to Mr. Foster's wife Elizabeth Foster. Also present during notification was Mr. Foster's daughter, Laura. During notification, Mr. Foster's two sisters arrived with other members of the White House Staff. Mrs. Foster nor other relatives or friends were able to provide any insight as to why Vincent Foster would take his life. Cleared at 2310 hours.

Investigation continues.

|          |         |            |       |
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**EXHIBIT**

175

000614

**INVESTIGATION OF WHITEWATER  
DEVELOPMENT CORPORATION  
AND RELATED MATTERS**

**VOLUME I**

**TUESDAY, JULY 18, 1995**

**U.S. SENATE,  
COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS,  
SPECIAL COMMITTEE TO INVESTIGATE WHITEWATER  
DEVELOPMENT CORPORATION AND RELATED MATTERS,  
Washington, DC.**

The Committee met at 9:30 a.m., in room 216 of the Hart Senate Office Building, Senator Alfonse M. D'Amato (Chairman of the Committee) presiding.

**OPENING STATEMENT OF CHAIRMAN ALFONSE M. D'AMATO**

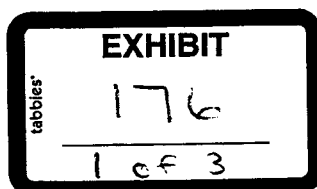
The CHAIRMAN. If the Committee will come to order. First, let me say that this has not been an easy process, but it is one that has been made much easier due to the cooperative efforts and manner in which my colleague, the Ranking Member, Senator Sarbanes, has worked with us, and we have worked in a cooperative effort to bring us to this point in terms of laying out the methodology and the scope of the hearings and the manner in which we would proceed. I would hope that we can continue in this manner. I have every confidence that we can discharge our duties in the manner that brings credit to the Senate and represents the best interests of all of our citizens.

We have agreed that each side will make opening statements for a half hour, then it will revert to 10 minutes to one side, 10 minutes to the other. We anticipate that each side will take up to an hour and a half before we get to our first witness.

Today the Senate Whitewater Committee begins its first round of public hearings. The Senate has authorized the Committee to ascertain the full facts about Whitewater and its many related matters. We intend to conduct fair, impartial and thorough hearings. That's what the American people want, expect and deserve.

Three years ago, the American people first learned of Whitewater, the Arkansas real estate development in which Governor Bill Clinton and Mrs. Clinton owned a 50 percent interest with Mr. James McDougal, the owner of the other 50 percent of Whitewater. Mr. McDougal was also the owner of Madison Guaranty, the Arkansas savings and loan that's at the heart of Whitewater. The whole story of Whitewater is very complicated. This matter

(1)



000615



I received specialized training at the FBI Academy and have worked on a number of high-level drug conspiracy cases and smuggling operations. I was promoted to plainclothes investigator in 1990.

I have completed specialized training courses in narcotics investigation and criminal investigation at the Federal Law Enforcement Training Center in Glynco, Georgia, as well as homicide investigation courses throughout the Washington, DC Metropolitan Area and Metro Dade Police Department in Florida.

Presently I am assigned to the Major Crimes Section of the U.S. Park Police Criminal Investigations Branch.

The CHAIRMAN. Major Hines.

**SWORN TESTIMONY OF ROBERT H. HINES  
MAJOR, U.S. PARK POLICE**

Mr. HINES. Good morning, Chairman. First, I want to thank you for your comments in your opening statement about the Park Police and our investigation.

Mr. Chairman and Members of the Committee, I am Major Robert H. Hines. I joined the U.S. Park Police in 1967 after serving in the United States Marine Corps and the Maryland Army National Guard.

From 1985 to 1991, I was the Commander of the U.S. Park Police Criminal Investigations Branch. Since 1991, I have been the Commander of the Office of Inspectional Services, U.S. Park Police. In that capacity, I also serve as the Force Public Information Officer.

Mr. Chairman and Members of the Committee, I can only reiterate my desire to cooperate with this Committee in every possible way. Thank you.

The CHAIRMAN. Thank you, Major.

Mr. Chertoff.

Mr. CHERTOFF. Thank you, Mr. Chairman. Welcome everybody. It's evident you're all experienced in the area of law enforcement. Sergeant Braun, let me direct my attention to you first.

I'd like you to focus, please, on July 20, 1993 at around 6 p.m. Did you get a call to attend a scene of a violent death at that point in time?

Ms. BRAUN. Yes, I did.

Mr. CHERTOFF. Who did you go to the scene with?

Ms. BRAUN. I went to the scene with Investigator Rolla and Investigator Apt.

Mr. CHERTOFF. Did you find at the scene the body of Vincent Foster?

Ms. BRAUN. Yes, I did.

Mr. CHERTOFF. Approximately how long did you remain at the scene that evening?

Ms. BRAUN. Until approximately 8:30 in the evening.

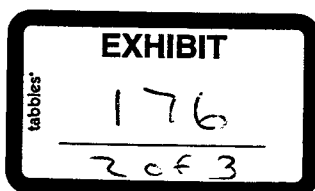
Mr. CHERTOFF. You remained there with Detective Rolla?

Ms. BRAUN. Yes.

Mr. CHERTOFF. Where did you go next?

Ms. BRAUN. After we left the scene, we went to the hospital briefly to retrieve some property.

Mr. CHERTOFF. After you were at the hospital, did you get a call to go pick somebody up?



000616

Ms. BRAUN. Yes, we did.

Mr. CHERTOFF. Who was that?

Ms. BRAUN. We were requested to pick up Mr. David Watkins to allow him and his wife to assist us with the notification of the Foster family.

Mr. CHERTOFF. Did you go to pick up David Watkins?

Ms. BRAUN. Yes, sir.

Mr. CHERTOFF. Can you tell us how Mr. Watkins introduced himself to you, what he told you his position was?

Ms. BRAUN. It's been 2 years. I don't remember exactly how he introduced himself. It was fairly informal. He introduced himself as David Watkins, and he presented me with one of his business cards.

Mr. CHERTOFF. Did you learn from that business card that he was a senior official at the White House in charge of administration?

Ms. BRAUN. Yes.

Mr. CHERTOFF. Where did you and Detective Rolla take Mr. Watkins?

Ms. BRAUN. We took Mr. Watkins to Mr. Foster's home in Georgetown.

Mr. CHERTOFF. Is it fair to say you arrived there sometime between 10 and 10:30 p.m.?

Ms. BRAUN. As my recollection serves me, it was around 10 p.m.

Mr. CHERTOFF. In the car, did you have any discussion with Mr. Watkins on the way to the Foster residence?

Ms. BRAUN. We had a brief conversation. I recall asking Mr. Watkins if he had any indications why Mr. Foster would have committed suicide, and at that point, the only thing that he could tell me was that he knew that Mr. Foster was upset over the Travelgate press that he had been getting.

Mr. CHERTOFF. Was there any discussion in the car with Mr. Watkins about whether there was a note that had been found at the scene in Fort Marcy Park?

Ms. BRAUN. No, I don't recall any conversation to that effect.

Mr. CHERTOFF. Now, what was the reason you wanted to go to the house with Detective Rolla?

Ms. BRAUN. We were responding to the Foster home to make the death notification to Mr. Foster's wife and relatives.

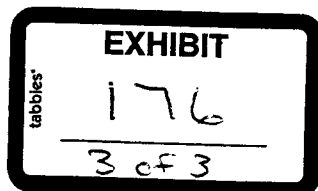
Mr. CHERTOFF. Typically, does that process of making a death notification also involve a certain investigative element?

Ms. BRAUN. Yes, it does.

Mr. CHERTOFF. What is that?

Ms. BRAUN. In a situation like that, it would be to look for information that would confirm that the suicide victim was despondent or had made prior attempts, anything that would help confirm our suspicions that it was, in fact, a suicide.

Mr. CHERTOFF. Now, you've said "suspicions" that it was a suicide. Recognizing that we're concerned with your state of mind as it was that night, not what we now know 2 years later—as of that night, had you concluded from an investigative standpoint that it was a suicide?



000617

**HEARINGS RELATING TO MADISON GUARANTY S&L AND THE WHITEWATER DEVELOPMENT CORPORATION—WASHINGTON, DC PHASE**

**VOLUME I**

**FRIDAY, JULY 29, 1994**

**U.S. SENATE,  
COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS,  
Washington, DC.**

The Committee met in room 106, of the Dirksen Senate Office Building at 10 a.m., Senator Donald W. Riegle, Jr. (Chairman of the Committee) presiding.

**OPENING STATEMENT OF CHAIRMAN DONALD W. RIEGLE, JR.**

The CHAIRMAN. The Committee will come to order. Let me invite all those that are standing to find seats so that we can begin.

Good morning to everyone and welcome to all those in attendance this morning. Today, the Senate Banking Committee begins the public hearing phase of our inquiry on the so-called Madison Guaranty/Whitewater matter. We do so under specific legislative instructions from the full Senate. Senate Resolution 229 mandated this inquiry and it instructed our Committee to begin these public hearings by today, July 29, 1994.

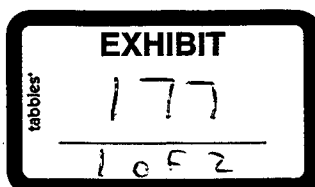
The scope of our present effort was carefully defined by the Senate Resolution 229 to pursue only three specific matters in order to not interfere or compromise in any way the full-scale inquiry being directed by Independent Counsel, Robert B. Fiske, Jr.

Now, Mr. Fiske's effort began on January 20, 1994, when Attorney General Janet Reno announced the appointment of this respected former prosecutor to serve as Independent Counsel to investigate allegations relating to Whitewater/Madison. He has full Federal authority to prosecute any violations of both civil and criminal laws.

On March 7, then, Mr. Fiske, aware that some in Congress were pressing for hearings on this subject, wrote to our Committee requesting that we not hold hearings that might compromise his investigation and jeopardize any later prosecutorial efforts he might undertake. The Senate itself recognized the importance and the primacy of Mr. Fiske's concerns on March 17 by a unanimous vote of 98 to zero.

The Senate passed a resolution authorizing hearings into all matters related to Whitewater but carefully provided that any Senate hearings should, and I quote:

(1)



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The CHAIRMAN. Had the body been moved at all? I mean, was the body in the position in which it was first found, or had it been moved in any way by the time you arrived, to your knowledge?

Mr. ROLLA. To my knowledge, the body had not been moved other than that we do have this blood transfer stain from the collar to the chin. Somebody either checked the carotid or whatever, may have moved the head, I do not know, but that is the only possible movement. Otherwise, no, the body had not been moved.

I approached the body carefully. The head was the first part of the body at the top of the embankment. Again, it is a very steep embankment with heavy foliage on both sides of the body. I carefully walked around the body, looking at it. Again, I was already told that there was a gun in the hand and at that point, I leaned over the body and observed a dark-colored revolver in the right hand of the deceased.

The CHAIRMAN. Let me just stop you there. My time is up. I want to, if I may, just ask one question, and then I will yield because I do not want to trespass on the time either. Did either of you see anything at the time that caused you to think that this might not be a suicide or the way it apparently would have appeared to you?

In other words, when you arrived, saw the scene, and saw the body, was there anything that struck either of you that would have caused you to say, maybe this was not a suicide. Was there anything that stuck out at that time that you recall now, or that you made a point of at the time?

Ms. Braun.

Ms. BRAUN. No. When we arrived at the scene and I went up to the scene, everything was consistent with a suicide.

The CHAIRMAN. Everything was consistent with a suicide. What would your answer be, Mr. Rolla?

Mr. ROLLA. Pretty much the same. Again, it was the early stages of investigation just arriving on the scene but at that point, everything was consistent with a suicide.

The CHAIRMAN. Let me yield now to Senator D'Amato.

Senator D'AMATO. I am going to yield my time to Senator Bond.

The CHAIRMAN. Senator Bond.

Senator BOND. Thank you very much, Mr. Chairman, and I want to thank the panel for their good work. I believe, Mr. Rolla, for ease of going through this, you have provided a great deal of information in the depositions.

I want to highlight for this Committee, some particular points of your testimony, and I will go through and give you the page numbers and ask you if that is an accurate reflection. It has to do with the outside interference in the investigation.

On page 63, you were asked: "If, at any time, if someone outside the Criminal Investigation Bureau, would you let me know, because there are lots of names."

You give an answer. "It would be very odd if anybody outside the CIB would ask anybody or do anything in the investigation."

They questioned you: "Did Officer Rule, when he called you, tell you the autopsy had been moved up specifically at the request of the White House?"



000619

**HEARINGS RELATING TO MADISON GUARANTY S&L AND THE WHITEWATER DEVELOPMENT CORPORATION--WASHINGTON, DC PHASE**

**VOLUME I**

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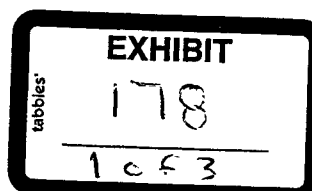
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(1)



000620

there's no way to determine whether or not those hairs were on those certain articles of clothing either on the day of his death or days previous to it. We were also very well aware, sir, that Mr. Foster's daughter, 21-year-old daughter, has blond hair—

Senator BENNETT. As I say, I'm not trying to read anything into this. I just want to know and I think your answer has been forthcoming, and it contributes to the kind of let's-settle-this-once-and-for-all attitude that we're hearing here. We can put this aside now as anything sinister and I'm happy to do that.

Mr. MONROE. There's nothing sinister whatsoever.

Senator BENNETT. The second one is in the same category. I'm curious. The FBI identified carpet-type fibers of various colors. They contain red, dark pink wool fibers on various pieces of his clothing. Does the FBI have any idea where that came from? Was there any attempt made to match that with any carpet in his home, car, or office?

Mr. MONROE. No, sir, and for the same reasons I provided in response to your first question relative to the hairs. They were multiple colors. We had no way to match those particular carpets up, outside the fact that they most likely came from his residence or from his office, and if we had any knowledge of any other venue or location he might have been at, specifically the day of his death, we would have done it. So once again, Senator, nothing sinister whatsoever.

Senator BENNETT. Thank you.

You made reference to the fact that the clothing might have been contaminated by being mixed with other clothing as part of the investigation. Is that one of the irregularities, significant or not, to which you would refer in response to the kind of thing that Senator Mack was talking about, that in hindsight, the clothing should have been sequestered better than it was or, once again, is that an insignificant item? Once again, I don't know. I'm just curious.

Mr. MONROE. It could have been very significant. The clothing, after the autopsy, was commingled, and you're right, Senator, where that particular hair or fiber was attached to at the time of the FBI laboratory does not mean that's where it was when Mr. Foster met his death. In this particular case, I don't believe it was significant, but it could be in future cases.

Senator BENNETT. Just to summarize what I think I'm hearing you say: If this had been a murder, then that procedure in handling the clothing would have been inexcusable. Since it was a suicide and we all know it's a suicide, it turns out not to have mattered. Is that a fair summary?

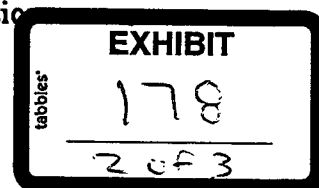
Mr. MONROE. No, I don't think so. I'd like to clarify it. In any death investigation, we had overwhelming evidence to reflect that it was a suicide, and not to make a distinction between a homicide and a suicide. Obviously, a death is—determining the manner of death is important whether it be a suicide or homicide.

Am I clarifying my response?

Senator BENNETT. Not really, but it probably doesn't matter.

Thank you.

Mr. MONROE. Well, you were kind enough to ask the question I'd like to be able to respond.



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ferent by hours, days, weeks, or years from the actual time of death.

Senator **SARBANES**. The actual time of death, your panel was not able to determine that other than sometime between when he was last known to be alive and, I take it, the official time of death?

Dr. **HIRSCH**. That's correct.

The **CHAIRMAN**. Very good.

Senator **BOND**.

Senator **BOND**. Thank you, Mr. Chairman.

Mr. **Monroe**, let me go on to another piece of the investigation. **Brantley Buck**, an attorney from Little Rock, was the one to whom **Vince Foster** spoke at approximately 1 p.m. on that fateful afternoon of July 20. I have in my hand the FBI report on the interview with Mr. **Buck**. Did you conduct that interview?

Mr. **MONROE**. I did not.

Senator **BOND**. Do you know who did?

Mr. **MONROE**. Yes. I believe it was Special Agent **Alex Suggs**, but I'm not sure of that, sir. It should be on the bottom of the 302.

Senator **BOND**. This one was left blank as to who. We do not have that information.

Mr. **MONROE**. I'm sorry, Senator.

Senator **BOND**. Do you know whether Mr. **Buck** was asked if, in the course of his conversation, he had discussed **Whitewater**, **Capital Management Services**, or **Madison Guaranty**?

Mr. **MONROE**. I don't know, sir.

Senator **BOND**. Is it the practice of the FBI that if they conduct an inquiry and they raise a question to which the response is negative, it should be noted in this reply, in this confidential memo?

Mr. **MONROE**. I would have put it in, Senator, but I can't say that's policy.

Senator **BOND**. The reason for interviewing **Brantley Buck**, who may have been the last person that talked with Mr. **Foster** before he left the office, would be to ascertain a number of things, would it not?

Mr. **MONROE**. Yes, sir.

Senator **BOND**. And one of those things would be the state of mind on which you commented and which the **Fiske Report** commented?

Mr. **MONROE**. Yes, sir.

Senator **BOND**. Given the questions that were raised about the possibility that Mr. **Foster** may have been informed about the issuance of the search warrant for **Capital Management Services** or **Judge David Hale**, would it not have been appropriate to ask whether that had been part of the discussions?

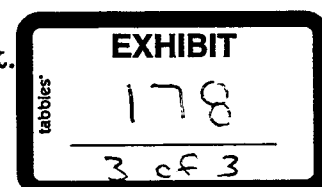
Mr. **MONROE**. If I had been doing it, true, but I'm not sure what that interviewing agent had in mind at that particular time. So I can't respond for that agent, Senator.

Senator **BOND**. I would ask, Mr. Chairman, that we make this report a matter of record.

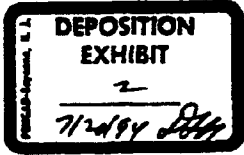
I would assume that you will be doing further investigation and those questions will be appropriately put to Mr. **Buck**?

Mr. **MONROE**. Yes, sir.

The **CHAIRMAN**. I'm certain I haven't seen it. I'd like to read it.



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**CONFIDENTIAL**

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/2/94

TODD STACEY HALL was interviewed at Fort Marcy Park, Virginia, regarding events surrounding the Fairfax County Fire and Rescue Department response to the death of Vincent W. Foster, Jr. on July 20, 1993. HALL is assigned to Fire Station One, 1455 Laughlin Avenue, McLean, Virginia, telephone number (703) 356-6671. After being informed of the purpose of the interview, HALL provided the following information:

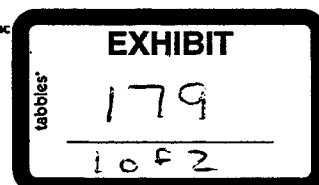
Upon arriving at the location of FOSTER's body, HALL noted that FOSTER's head was pointing in a forward position. The head was not leaning to the right, nor was the head leaning to the left side of FOSTER's body. HALL did not move FOSTER's head. HALL checked for a pulse on the left side of the decedent's neck. As he checked for a pulse, HALL was standing in the area of FOSTER's right shoulder and right side of the head, leaning across the body in order to check the pulse on the left side. FOSTER was described to have a grayish color and the body was further described to be cold to the touch.

During HALL's examination of the body, he noted that the decedent had a gun in his right hand and that the hand was located close to the body. Some of the gun was covered by the decedent's right leg. HALL initially sighted the gun in FOSTER's right hand from the position in which he checked for a pulse. HALL's statement regarding the victim's body being cold to the touch was determined during HALL's attempt to check for a pulse.

HALL noted that the first person to arrive at FOSTER's body was a United States Park Police (USPP) officer. HALL was the second individual to arrive at the body. After HALL arrived at the body, the police officer walked away for a short period of time. Prior to the officer leaving the body, HALL stated to the officer that he thought it was a suicide. HALL was unable to determine whether or not FOSTER was stiff as a result of rigor mortis. The Park Police officer did not touch FOSTER's body. He pointed out the body for HALL and began to walk away. Upon initially inspecting the body, HALL sighted blood on the right collar area of the decedent's shirt.

Investigation on 4/27/94 at Ft. Marcy Park, VA File # 29D-LR-35063Date dictated 5/1/94 OIC U00173

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29D-LR-35063

Continuation of FD-302 of

TODD STACEY HALL, On 4/27/94, Page 2

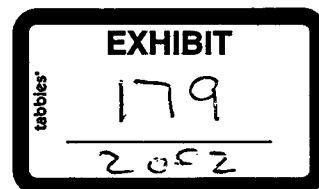
HALL was shown a series of pictures taken at the crime scene by USPP officers. He admitted that it was possible that blood could have been on FOSTER's right cheek as depicted in the photographs. He further noted that it was possible that leaves and brush in the area, on the date of FOSTER's death, could have obscured blood on the decedent's face and shirt. HALL noted that the area on top of the hill in front of the cannon where FOSTER was located, was previously covered in leaves and brush. The area at the bottom of the hill was also covered. On April 27, 1994, these areas did not contain the vegetation as described by HALL.

While inspecting the body on July 20, 1993, HALL believed he saw something moving in the trees surrounding the location of FOSTER's body. Upon closer inspection on April 27, 1994, HALL became aware that Route 123 was located in the area that was previously described by him to have been the location of unexplained movement. Previously, HALL thought he had seen either a bright orange or red color moving from right to left in the vicinity of Route 123. Upon discovering on April 27, 1994 that there was a road in the area from which he previously thought he had seen movement, HALL believes it is possible that he could have seen vehicular traffic on Route 123. At the time HALL saw this movement on July 20, 1993, he was standing near the barrel of the cannon located behind FOSTER's body.

With regard to other individuals that arrived at the location of FOSTER's body, HALL believes that a female USPP officer was the third individual to arrive at the body. HALL remembers GEORGE GONZALEZ possibly being the fourth individual to arrive at FOSTER's body. HALL believes he also may have spoken to JENNIFER WACHA at the location of FOSTER's body.

In addition to describing events associated with the Fairfax County Fire and Rescue Department response to FOSTER's death, HALL was requested by interviewing agents to draw a representation of the Fort Marcy Park parking area, to include his route from the parking lot to FOSTER's body. He was also requested to label any vehicles he could recall upon entering the park, as well as to label the location of FOSTER's body, the cannon, his location in relation to FOSTER's body, and any other individuals he could recall. HALL's drawing is attached and made a part of the record hereto.

OIC 000174



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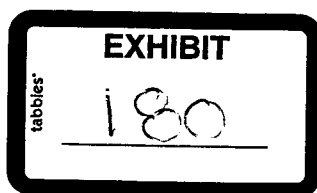
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**CONFIDENTIAL**

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## FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/17/94

Dr. DONALD DAVID HAUT, Medical Examiner, Fairfax County, Virginia, was interviewed at his office, 312 South Washington Street, Alexandria, Virginia. After being apprised of the identities of the interviewing agents and the purpose of the interview, HAUT thereafter provided the following information:

As Medical Examiner, HAUT advised that he is paid on a case by case basis. When not serving in his capacity as a medical examiner for Fairfax County, HAUT is a private physician. HAUT noted that physicians in private practice are selected to assist the forensic pathologists in a specific district. The function of the medical examiner is to investigate any death from unnatural causes or any death that is unattended by a physician. According to HAUT, there are usually two to three medical examiners working at any given time.

HAUT has responded to the scene of approximately 12 suicides in the course of his tenure as a medical examiner. Of the twelve, half were gunshot wounds to the head. At least one or two of those gunshot wounds were to the mouths of the victims.

In the course of the interview, HAUT was shown a series of photographs taken at the scene of the death of VINCENT W. FOSTER, JR. After reviewing the photographs, HAUT did not recall seeing blood on the decedent's shirt or face and no blood was recalled on the vegetation around the body. HAUT does not recall the body being photographed while he was at the death scene. He does recall lifting the body by the right shoulder and remembers receiving some assistance in doing so. He could not recall the individual providing that assistance. The purpose of lifting the right shoulder of the body was to check for an exit wound. HAUT had received no indication by U.S. Park Police (USPP) personnel that the body had been moved. HAUT could not provide any insight regarding the lateral blood flow as depicted in the photographs on FOSTER's face. HAUT did not recall seeing anyone touch the body while he was at the death scene. HAUT recalls arriving at the death scene at approximately 6:45 pm on July 20, 1993; he recalls there being moderate traffic in the area as he drove to Fort Marcy Park on the George Washington Memorial Parkway.

EXHIBIT

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Investigation on 4/14/94 at Alexandria, Virginia File # 29D-LR-35063 SUB A

OIC 000299

by \_\_\_\_\_ Date dictated 5/16/94

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FD-302a (Rev 11-15-83)

**CONFIDENTIAL**

29D-LR-35063

Continuation of FD-302 of Dr. Donald David Haut . On 4/12/94 . Page 2

head. HAUT pulled on FOSTER's right shoulder turning him to the left in order to conduct his examination. HAUT recalls FOSTER's head being close to the summit of the hill, further noting that it was more on the slope of the hill than at the top of the hill.

FOSTER was recalled to have been dressed in expensive looking shoes, slacks, and a shirt. HAUT believes the weapon was removed prior to his arrival on scene. He did not recall seeing a gun in FOSTER's hands.

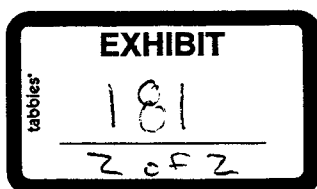
Upon arrival it appeared that the death scene investigation had been conducted by two female Park Police officers. USPP officers were in the process of examining the car believed to have belonged to FOSTER. The process of examining the auto also included dusting the car for fingerprints. HAUT recalls that the USPP had an Arkansas driver's license belonging to FOSTER and it was known that he was employed at The White House. According to HAUT, there were no paramedics on the scene while he was at the death site.

FOSTER's body was still in place when HAUT departed the death scene. HAUT left the scene approximately 30 minutes after his arrival. HAUT noted that FOSTER's body was rigid and he did not see blood on FOSTER's face. HAUT recalls looking at FOSTER's hands but did not notice or may not have been looking for powder burns on the hands during his examination. HAUT recalled that although blood and hair were matted to the back of FOSTER's head, there was no dirt on the wound and that the dirt at the death site was hard packed. HAUT recalls a cannon being located 10 to 20 yards behind the victim.

After examination of the back of FOSTER's head, HAUT believed that the wound was consistent with a low velocity weapon. HAUT recalled a separate case in which a .25 caliber rifle caused a much more devastating wound to the victim. HAUT did not feel FOSTER's demise was anything out of the ordinary.

HAUT has been a medical examiner for 12 years responding to approximately 100 unattended deaths. Of that number, it was believed that 12 were suicides or homicides. A number of the suicides were the result of gunshots to the head.

HAUT advised that he is the only medical examiner for Fairfax County. He did not have any role in the autopsy of



OIC 000297

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FAIRFAX COUNTY FIRE AND RESCUE DEPARTMENT  
 EVENT HISTORY  
 DISPATCH RECORDS

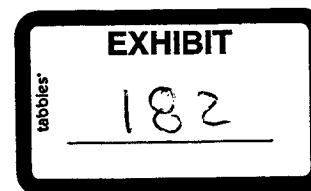
**EXHIBIT 11**

EVENT NUMBER: 97011493

| DISPATCH TIME | AUT ENTRY | COMMAND CODE | TEXT                                    |
|---------------|-----------|--------------|-----------------------------------------|
| 19:45:17      |           | ENTRY        | US PARK REQUESTING TRANSPORT OF THE BCC |
| 19:45:17      |           | ENTRY        |                                         |
| 19:45:31      |           | UNREC        | A01                                     |
| 19:45:37      |           | DP           | A01 CHI                                 |
| 19:47:32      | *         | ENRTE        | (070004) A01                            |
| 19:53:37      |           | BACKER       | T01P                                    |
| 19:02:25      | *         | ONSCNE       | (077079) T01P                           |
| 19:08:33      |           | UTIMEX       | A01 ENROUTE TO ONSCENE                  |
| 19:09:45      |           | UTIMEP       | A01                                     |
| 19:11:27      |           | ONSCNE       | A01                                     |
| 19:17:25      | *         | TRANS        | (070004) A01 25                         |
| 19:17:25      |           | TRANS        | (008134) A01 25                         |
| 19:17:47      | *         | TRANS        | (070004) A01 25                         |
| 19:21:27      | *         | AOR          | (077079) T01P @ 01 11                   |
| 19:30:55      | *         | ATHOSP       | (070004) A01                            |
| 19:59:28      | *         | AOR          | (070004) A01 @ 13 11                    |
| 21:18:39      |           | CLOSE        | (007682)                                |

This is certified a true  
 copy of the actual  
 field incident report in  
 possession of the Fairfax  
 County Fire and Rescue  
 Department

Signed Bonnie Diamantes  
 Date 7-19-94



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-1-

FEDERAL BUREAU OF INVESTIGATION

00891

Date of transcription 8/5/93

DAVID WATKINS, Assistant to the President, the White House, Washington, D.C., was advised of the identity of the interviewing agents and informed of the nature of the interview. Also present for the interview was WATKINS' personal attorney, TY COBB. WATKINS provided the following information:

WATKINS advised that on the evening of July 20, 1993, after having learned that VINCENT FOSTER had been found dead, WATKINS and others went to the FOSTER home to be with the members of the FOSTER family. WATKINS was in the company of some UNITED STATES PARK POLICE investigators and he learned from them that there was not a suicide note recovered at the scene when FOSTER's body was found. WATKINS stated that during discussions with individuals at the FOSTER home, it was brought up that there could possibly be a suicide note located within FOSTER's office at the West Wing of the White House. In order to determine if in fact there was such a note at FOSTER's office, WATKINS called PATSY THOMASSON (a White House employee) and requested that she return to the White House and determine if there was a note found in FOSTER's office. WATKINS believed that he made this call to THOMASSON at approximately 10:00 p.m.

WATKINS advised that THOMASSON called him back sometime after 11:00 p.m. and stated that no note was found at FOSTER's office.

Investigation on 8/5/93 at Washington, D.C. File # WMFO 175B-WF-187743

by SA BRADLEY J. GARRETT ←  
SA SCOTT M. SALTER:dlj Date dictated 8/5/93

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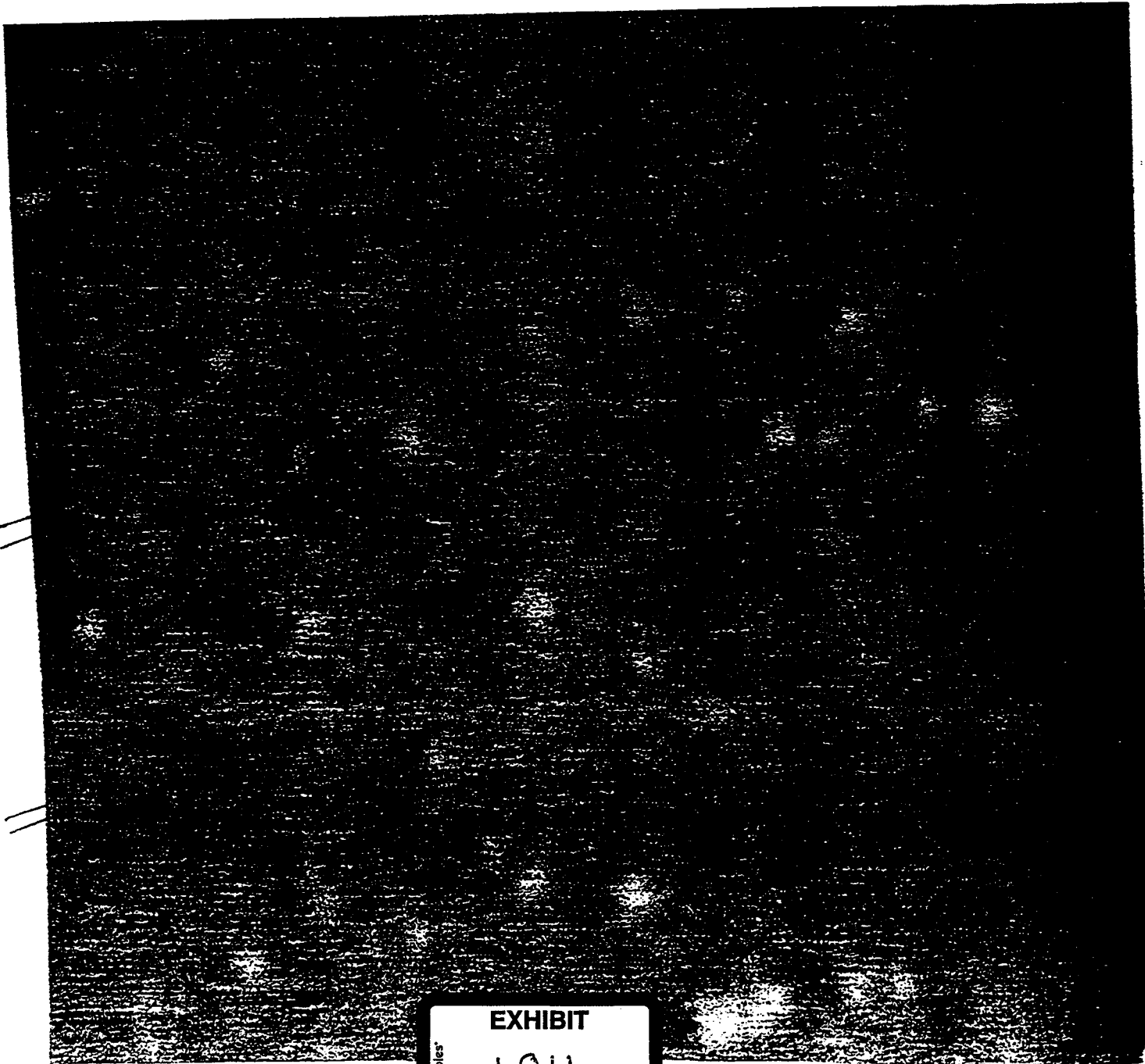


EXHIBIT  
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1700  
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