

# PROGRESSIVE REVIEW

## THE VINCE FOSTER CASE

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### 101 Peculiarities Surrounding the Death of Vincent Foster

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*Please bear in mind that the purpose of this catalog is rather modest. I merely want to highlight what I see as a large number of gross "peculiarities" surrounding the Foster case. I hope to convey to the reader some sense of the sheer weight of over 100 discrepancies and unanswered questions. Also bear in mind that the number "101" is itself a modest number. As a practical matter, I was forced to omit dozens of striking anomalies.*

*As you read this long list, consider that Vince Foster's death was almost immediately labeled a suicide by the U.S. Park Police. Normal procedure in the case of a violent death is to treat it as a homicide until all doubts are resolved. Despite this, a homicide investigation was never launched. Even before the death scene or the body had been inspected, a suicide confirmation process was under way. In her sworn Senate testimony, senior Park Police officer Cheryl Braun said, "We made that determination [of suicide] prior to going up and looking at the body." From that point on, all police and FBI efforts were directed toward collecting evidence that would support the suicide verdict. No effort has ever been made to seek or collect evidence supporting a possible homicide. Instead of seeing a proper homicide investigation, we have seen Foster's death become mired in a morass of lies, confusion, and conflicting evidence. Faced with this labyrinth, I knew that any hope of putting together a challenge-proof list of over 100 items was unrealistic. Is it possible there are errors in this catalog? Certainly. Nonetheless, I am confident 90% of these assertions will hold up with time. For any rational person, the weight of 90-plus discrepancies must still remain staggering.*

1. The man who discovered the body in Ft. Marcy Park says he was curious about the cause of death and looked closely for a gun. He emphatically says there was no gun in either hand. The FBI put great pressure on this witness to change his testimony. Why? Did he interrupt the staging of a suicide that was only completed after he had left the scene?
2. The powder-burn patterns found on both Foster's hands apparently came from powder discharged from the front of a gun cylinder. If he had been gripping the handle, his hands would have had stain patterns consistent with powder discharged from the rear of the cylinder.
3. The gun was still in Foster's hand. It is unusual for a .38 caliber weapon to remain in a person's hand after discharge. Propelled by its powerful recoil, a .38 normally is thrown a considerable distance, sometimes as much as 15 feet. It is true a spasmodic reflex sometimes freezes the fingers around the gun; however, when the gun was removed from Foster's hand, his fingers were still flexible, indicating such a reflex never took place.

4. There was no blood or tissue on the gun. Normally, the force of such a powerful explosion within the mouth blows back a large amount of blood and tissue.
5. No fingerprints were found on the exterior of the gun. The FBI claims this was due to a lack of sweat on Foster's hands. Consider that the temperature that afternoon passed 95 degrees, and the temperature-humidity index reached 103 (this estimates the effect of temperature and moisture on humans, with 65 considered the highest comfortable level). Furthermore, a man about to fire a gun in his mouth is likely to be sweating excessively. If the FBI explanation is scientifically true, one has to conclude it is exceedingly rare to find prints on any weapon.
6. The FBI lab found two fingerprints underneath the removable hand grips. These prints did not belong to Foster. No effort was made to identify these prints through the FBI's computerized data bank. (The FBI did try to find samples of prints belonging to Foster's father.)
7. The gun was made up of parts from at least two guns. Consider that professional killers often use guns made from several guns to make them untraceable. These are known as "drop guns."
8. There is no evidence this gun belonged to Foster. Nor is there any evidence this gun fired the fatal shot.
9. When Lisa Foster went to look for her husband's silver gun in its normal place, she found a strange gun. No member of the Foster family recognized this gun. Did somebody make a swap? If so, who made the exchange? And for what purpose?
10. The gun in Foster's hand, as shown in an ABC color photo, is clearly black. Members of Foster's family all agree Foster's gun was silver. The FBI showed Foster's widow a silver gun and told her it was the gun found at the scene. Why did the FBI make this substitution?
11. It remains clouded as to what happened to Foster's silver gun. We know it could not have been the black gun found in Foster's hand. Was it the silver gun the FBI showed to Lisa Foster? Does the FBI have any proof this gun belonged to Foster? Is it possible the black gun in the ABC photo was merely a "place-holder" gun planted in Foster's hand until Foster's own gun could be retrieved?
12. No matching bullets for the crime-scene gun were found on Foster or at his home. The only bullets found in his home were .22 caliber. This suggests Foster's silver gun was a .22, not a .38. FBI reports do not identify the caliber of the silver handgun in their possession. Why not?
13. The gun contained two cartridges, one spent and one unspent. They were stamped with a code indicating they were high velocity (extra powerful) rounds. This is inconsistent with the fact there was no pool of blood or large exit wound.
14. The rush to deliver a suicide verdict repeatedly corrupted normal police procedures. The gun was an 80-year-old Army Colt Special. Despite the age of the gun, the Park Police did not test it to see if it would actually fire. Six days after the investigation was closed, they asked the BATF to test the gun. The test results were announced five days later, or a total of 11 days after the case had already been closed.
15. Medical technician Richard Arthur was one of the first to reach the death scene. Arthur emphatically says he saw an automatic pistol in Foster's hand. His description of the weapon is very precise and correctly matches the profile of an automatic. He adamantly swears it had a barrel with straight lines as opposed to a

tubular shape and a hand grip that was "square in shape." If his testimony is correct, it suggests an automatic was replaced with a revolver sometime after the police arrived.

16. Gun powder residue on Foster's glasses and clothing did not come from the gun found in his hand.

17. Foster's glasses were found 19 feet from his head at the bottom of the embankment his body was found on. The Park Police have theorized that his glasses "jumped" to the bottom of the slope when the gun went off. High underbrush covered most of the slope. The police explanation suggests his glasses were propelled through 19 feet of this dense growth. Consider that his head would have been slammed backward against the embankment as his glasses flew toward the ditch. What force could have thrust his glasses 19 feet in the opposite direction? No tests were conducted to test this implausible theory. An earlier theory was that he threw his glasses into the ravine prior to killing himself. The presence of gun powder on his glasses refuted this odd explanation.

18. Five homes are located an average of 490 feet from the crime scene, yet nobody in the neighborhood heard a shot. The residence of the Saudi Arabia ambassador is 700 feet from the crime scene. Guards at the residence heard no shot. Presumably the sound of a shot would greatly alarm trained bodyguards. This anomaly is neatly accounted for if (1) a silencer was used, or (2) Foster was shot at another location.

19. The Saudi bodyguards and the neighbors living near the crime scene were not interviewed until months later. This was a gross disregard of police procedure. Evidence trails grow cold quickly, memories fade, people move, and witnesses become recalcitrant.

20. Authorities claim the bullet exited the rear of Foster's skull. This bullet has never been found. Why not? A bullet smashing through a skull loses most of its force and rarely travels far. Is it because the bullet never exited the rear of Foster's skull? Bear in mind there is substantial eyewitness testimony indicating no such exit wound existed.

21. Several people who were at the crime scene say there was little or no blood under Foster's head. A .38 caliber weapon firing a high-velocity slug normally makes a large exit hole and produces a huge pool of blood. Following a fatal shot to the brain, the heart keeps pumping until it runs out of blood. This action can last as long as two minutes, thusly expelling a massive quantity of blood. The lack of blood raises two questions: (1) Did Foster die elsewhere? (2) Was the shot to the head administered after he was dead? A careful consideration of these possibilities was precluded by the frantic rush to support an official suicide verdict.

22. X-rays of Foster's skull have either vanished or never were taken. Dr. James Beyer, who did the autopsy, has made contradictory statements as to whether he took X-rays. This controversy remains unresolved.

23. Foster's head was moved after his death and before crime-scene photos were taken. Was this done intentionally? Or was it merely the product of an inept crime-scene investigation? The FBI report indicates the head was moved while the blood was still wet. This claim is intriguing because it suggests the head was moved before investigators arrived.

24. In his written report, paramedic Corey Ashford listed the death as a homicide. Did he do this because he thought it was obviously a homicide? Or was he only following proper police procedure by initially treating a violent death as a homicide?

25. Only a few trickles of dried blood were found on Foster's face. One of these

trickles had run uphill in defiance of gravity. This fact alone should have alerted the Park Police to the possibility Foster's body had been moved from another location or the body had been tampered with after death.

26. The Army Colt .38 Special has a high sight and a bulky ejector-rod head. These items normally do significant damage to the teeth and mouth when the gun barrel is explosively expelled from the mouth. Foster's teeth were not chipped, nor was his mouth damaged. The good condition of his mouth has never been explained by the FBI or Park Police. Is it possible a silencer was used? Consider that a silencer is a smooth, round extension that has no sight or ejector rod.

27. No blow-back of blood or tissue was found on the gun, on Foster's hand, or on his sleeve. Most homicide experts believe this is physically impossible given the power of the Colt .38. How does one account for this discrepancy? A much-discussed theory is that Foster was killed with a .22 caliber pistol. Consider that this small weapon is a favorite of professional killers. There are four good reasons for this: (1) it makes far less noise than a larger weapon; (2) rather than blasting through a person's head, its less powerful bullet tends to ricochet within the skull, doing lethal brain damage; (3) it does this deadly work without generating a blowout of the brain case, a pool of blood, or splattered brain parts; (4) there is almost no blow-back of atomized blood droplets to mark the assassin's clothing with DNA.

28. No skull fragments were found at the scene, even though a .38 fired into the mouth normally inflicts severe damage as the slug blows out the back of the brain case. Park Police officer John Rolla observed, "There was no blowout. There weren't brains running all over the place. . . I initially thought the bullet might still be in his head." This is consistent with the theory a .22 was used to kill Foster. Why have Rolla's observations been ignored?

29. All the paramedics who handled Foster's body said they did not see an exit wound in Foster's head. Corey Ashford helped lift Foster's body into a body bag. While doing so, he cradled Foster's head against his stomach. Ashford's white shirt remained immaculate following this contact. Nor did he have to wash his hands. He says this is highly unusual in gunshot deaths, which are normally extremely messy.

30. Dr. Julian Orenstein, the doctor who certified Foster's death at the morgue, says he did not see any exit wound in Foster's head. The fact is all the people who initially handled the body say they did not see an exit wound. Consider that none of these people had a vested interest in the operative suicide conclusion.

31. Dr. Donald Haut, the medical examiner who visited the death site, has steadfastly supported the suicide conclusion. He told the FBI he saw an exit wound. He also stated it "was consistent with a low velocity weapon" (jargon for a small gun such as a .22). In other words, it was a small wound with little blood. Later he repeated his comments about a lack of blood to reporter Chris Ruddy. Haut later denied this in an interview with CBS reporter Mike Wallace. Why did Haut change what he had previously said on two separate occasions? Even more puzzling, why would he deny this when he knew Ruddy had tape recorded his comments?

32. A medical technician at the death scene says he saw a small, circular wound on Foster's neck, just below the jaw line. He says it "looked like a small-caliber entrance wound." (For reasons stated below, one has to consider the possibility this was an exit wound.)

33. Ambrose Evans-Pritchard, a respected British reporter, claims he has seen a photo of this wound. He says the wound was on "the right-hand side, about halfway along the jaw and about an inch below the jaw." He describes it as "a clearly visible wound about the size of a dime... It has the appearance of a small-

calibre gunshot wound." He later said in a radio interview that the "wound on the neck is the origin and source of the blood that comes down the neck and trickles down the collar."

34. According to Hugh Sprunt, a highly respected Foster researcher, "White House sources... did indicate to the media very shortly after the death that two different guns were involved in the shooting a .22 and one a .38." Park Police notes of 7/26/93 also mention this, adding that the information came from the FBI.

35. Dr. John Haut signed a document dated July 20, 1993, entitled "Report of Investigation of Medical Examiner." In the words of Hugh Sprunt, "Page two says 'Self-inflicted gunshot wound mouth-neck' and there appears to be an alteration on page one from 'Perforating gunshot wound mouth-neck' to 'Perforating gunshot wound mouth-head.'" It is probably more precise to say whiteout was used on page one to cover what appears to be a four-letter word, possibly "neck." The word "head" was typed next to this. Looking at this document, one notes that "head" is slightly higher than the rest of the typing. In other words, the document was removed from the typewriter and later re-inserted to alter it. Why? Consider that a .22 caliber slug fired into the mouth often ricochets and exits through soft locations such as the neck. "Mouth-neck" on a report indicates the gun was discharged in the mouth and the slug exited through the neck.

36. According to the FBI, no "coherent soil" from the park was found on Foster's shoes. Investigators for the independent Scalise Report had two men walk the trail to the death site wearing shoes similar to Foster's. In both cases, their shoes picked up microscopic dirt from the trail. CBS reporter Mike Wallace did the same experiment and also picked up dirt. In CBS' televised report on Foster's death a report that strongly endorsed the suicide conclusion, Wallace neglected to mention this private test. Why did he and CBS conceal this important fact?

37. A tow truck driver says he was sent to the Ft. Marcy Park to remove a car on the evening of Foster's death. He says the driver's window was broken, and there was blood on the dash and seats. No in-depth investigation of this odd story has ever been done by the FBI or Park Police. Did the premature suicide conclusion block another obvious path of investigation?

38. Also consider that hairs and multi-colored carpet fibers were found on Foster's clothing, including his underwear; yet the seat of Foster's car was never checked for matching hairs or fibers.

39. More significantly, the floor of Foster's car trunk was not checked for carpet fibers matching those on his clothing. Is it possible his body was transported in the trunk of his car? Is it possible Foster's body was wrapped in carpet before being transported to Ft. Marcy Park? Once again, the premature suicide verdict seems to have prevented such obvious hypotheses from being explored.

40. The White House discounted the abundance of carpet fibers on Foster's clothing, claiming they came from his recently re-carpeted home. This was never substantiated by taking samples of carpet fibers from the Foster home for comparison.

41. If a person dies in a supine position, blood settles to the back of the body where it creates lividity marks. If the body is moved, gravity may pull blood to other parts of the body where it will imprint new marks. It was imperative for the police to strip Foster's body and check its entire surface for lividity marks before taking it to the morgue. This was never done. As usual, the premature suicide verdict eliminated a vital police procedure. And once again, vital forensic evidence was lost or destroyed.

42. The driver's seat of Foster's Honda was pushed forward to a position

appropriate for a person about 5' 8" tall. Foster was nearly 6' 5" tall. It would have been extraordinarily difficult for Foster to have driven his car with the seat in this position. Despite this, authorities have persisted in saying Foster drove his car to Ft. Marcy Park. The possibility somebody else drove Foster's car has been steadfastly rejected.

43. On the afternoon of Foster's death, at least four eyewitnesses saw an older-model brown car in the exact spot where Foster's car would later be found. Foster's car was a light-gray recent model. It materialized in place of the brown car sometime after 6 p.m. In other words, Foster's car apparently arrived after his body was found. The tardy arrival of Foster's car was further confirmed by a detective who felt the hood of the car. It was still warm.

44. At least four witnesses saw a briefcase lying on the front seat of Foster's Honda after the police had arrived. Medical technician George Gonzalez described it as "a black briefcase-attach, case." This briefcase has vanished. The contents of the briefcase might have shed light on what Foster was doing just prior to his death. Many items of evidence were immediately turned over to the White House. Was Foster's briefcase among these items?

45. Foster's pager was found at the scene. Somebody had apparently erased its memory. The Park Police turned it over to the White House within hours of finding it. It is blatantly illegal to give away key evidence, especially to associates of the victim. Coworkers of murder victims are pro forma suspects in homicide investigations. Any officer turning over physical evidence to potential suspects would normally face serious charges. Instead, praise and promotions were heaped on the Park Police by a grateful White House. Cheryl Braun, for example, was promoted to sergeant.

46. All the crime-scene photos taken with a 35 millimeter camera were "overexposed" or have vanished. Furthermore, most of the Polaroid photos of the crime scene have vanished or are blurred. This includes shots of Foster's back taken by officer John Rolla. Rolla's photos presumably would have confirmed (or refuted) the lack of a blood pool and a large exit wound, anomalies mentioned by several witnesses.

47. Miquel Rodriguez, an early member of the independent counsel's office, was suspicious of the "original" Polaroid of Foster's neck. His FBI staff repeatedly told him it was the original, and that was all they had. With the help of an accomplice, Rodriguez uncovered a hidden file of photos containing the actual original. He took the original and the blurred copy to outside photographic experts who determined that somebody had taken a photo of the original and then altered it to hide what appeared to be a small-caliber neck wound.

48. Mark Tuohey was head of the Office of Independent Counsel in Washington. He took Rodriguez aside and warned him he was not to challenge the findings of the Fiske Report. In other words, Rodriguez was given explicit orders not to challenge the suicide verdict.

49. Rodriguez told Kenneth Starr he wanted to summon FBI agents before the grand jury to compel sworn testimony concerning their handling of evidence. He also wanted to bring in private experts to evaluate evidence. Starr refused both requests and told him to wrap up the investigation as quickly as possible. When Rodriguez balked, Starr forced him to hand in his resignation.

50. Shortly thereafter, Starr dismissed the grand jury that had been getting information from Rodriguez and formed a new one. The new jury was not made privy to the thousands of pages of facts that Rodriguez had presented to the previous jury.

52. James Beyer, the deputy medical examiner, did the autopsy. At the time, Beyer was under considerable public suspicion for having previously labeled two obvious homicides as suicides. Since Foster's body was found in Ft. Marcy Park, the autopsy fell under Dr. Beyer's jurisdiction. Those who wanted a quick suicide verdict could not have hoped for a more compliant medical examiner than Dr. Beyer. If finding the body in Ft Marcy Park was a coincidence, it surely was a convenient coincidence.

53. The X-rays are missing. Dr. Beyer told a Park Police investigator X-rays had not revealed any bullet fragments in Foster's head. He later claimed he never took X-rays. Which statement is true? More to the point, which is false?

54. Contrary to reports in the media, nothing that could plausibly pass for a suicide note was found. The note found by Bernie Nussbaum's aide looks more like a list of reasons for returning to Arkansas, something Foster had been seriously contemplating. In fact, his wife says she had encouraged him to write such a list.

55. This alleged "suicide" note had been torn into 28 pieces. All but one of the pieces were found in one of Foster's briefcases. This happened after the briefcase already had been searched twice by Bernie Nussbaum in the presence of Park Police. The missing piece was from the lower right-hand corner, the precise spot where Foster's signature would presumably have appeared. Consider these facts: (1) a person's signature is the most difficult item to forge; (2) forged suicide notes are often torn up in an effort to make it more difficult to verify the handwriting; (3) homicide experts believe a late-appearing suicide note must always be viewed with suspicion.

56. No fingerprints were found on the note despite the fact Foster allegedly had torn it into 28 pieces. Only Bernie Nussbaum's palm print was found. Why would Foster wear gloves to tear up this list? And why would he tear it up in the first place? And what was Bernie Nussbaum doing handling critical evidence? Why did it take a week for the note to surface? How could Nussbaum have missed seeing the 27 pieces after having searched the briefcase twice?

57. Three handwriting experts independently concluded the note is a forgery. One of the experts, Reginald Alton of Oxford University, is arguably the most eminent handwriting expert in the world. He judged the forgery to be the clumsy work of an amateur.

58. When these experts held a press conference to announce their findings, the forum was almost completely boycotted by the mainstream media. These findings were a stunning development with dramatic implications. Why was this story almost totally ignored by the American media?

59. The handwriting "expert" for the Park Police had previously declared the note authentic. This "expert" has had no training in handwriting analysis and only does it as a hobby. Furthermore, he used only one sample of Foster's handwriting, a clearly inadequate exemplar to work from. Trained experts prefer 20 to 30 exemplars, with 10 being a bare minimum.

60. When Foster's wallet was found on the seat of his car, it contained a note with the names and phone numbers of three psychiatrists. When they were contacted, they said they did not know Foster and had never talked to him. Miquel Rodriguez and others in the Office of the Independent Counsel noted that the numbers jotted down on the note were visibly different from the way Foster wrote numbers.

61. The Park Police Department was immediately assigned to the investigation. Normally an investigation into the violent death of one of the highest officers of the

federal government is handled by the FBI.

62. However, it now seems clear the entire time the Park Police worked on the case, the FBI was secretly involved. Did the WhiteHouse direct this subterfuge? If so, for what purpose?

63. The White House fired William Sessions, the head of the FBI, the day before Foster's body was found. He was fired on charges of misusing minor perks. It was the first time in history a president had fired a head of the FBI. Sessions would later declare his firing had "seriously compromised" the Foster investigation.

64. The Park Police lead investigator assigned to the case had never handled a homicide case. Once again, the premature suicide conclusion compromised the investigation by directing it away from a homicide investigation. Was it the lead investigator's job to rubber stamp a preordained suicide verdict?

65. The White House did not comply with police requests that Vince Foster's office be immediately sealed following his death.

66. Later that night, police officers would passively sit outside Foster's office, while White House aides freely went in and out. Since Foster's office was technically part of a crime scene, this was a gross violation of police procedures.

67. White House aides were seen ransacking Foster's office. A Secret Service agent saw Maggie Williams moving Foster's files to her office. No efforts were made by the Park Police to recover this potential evidence. Why was this criminal interference with a police investigation tolerated?

68. Foster's administrative assistant, Deborah Gorham, has testified that Foster's file index, the document listing everything contained in his files, has vanished. Several other documents and letters, known by Gorham to have been in Foster's safe, have also vanished.

69. Ms. Gorham testified that Bernie Nussbaum demanded the combination to Foster's safe after he learned of Foster's death. Technically, Foster's safe was part of a crime scene. It is possible it contained critical evidence.

70. It is not known whether Foster's appointment book was in his briefcase or his office. In any case, it has vanished. It would be considered important evidence in a homicide investigation. This is especially true in the case of Foster, whose whereabouts for the five hours preceding his death are unknown. Unaccountably, the disappearance of the appointment book has been ignored. As usual, the premature suicide conclusion insulated the investigation from a striking anomaly.

71. At the crime scene, Park Police officer John Rolla searched Foster's pockets for personal effects. Officers Cheryl Braun and Christine Hodakievic watched while Rolla carefully searched Foster's front and back pockets. Rolla found nothing. Foster's wallet and credit cards were found in his Honda, but his car keys were missing. One of the most remarkable aspects of the crime-scene investigation is that the absence of the car keys never dampened the operative suicide conclusion.

72. Later that evening, Braun and Rolla went to the morgue to search Foster's pockets a second time. Presumably they were ordered to so. Upon arriving, Braun immediately found two key rings in Foster's right front pocket. One ring had four keys. How did Rolla miss them the first time? Two key rings with six keys inside a front pocket should have presented a bulky outline. Even a simple police "pat down" should have been enough to discover the keys. Who ordered Braun and Rolla to the morgue to look for the keys a second time? Why was this order given?

73. Foster was easily identified using the photos on his White House pass and his driver's license. The White House was then notified. White House aide Craig Livingstone was ordered to the morgue to "identify" the body. He called special counsel William Kennedy and asked him to meet him at the morgue. The reason for this rush to the morgue remains murky. The body had already been positively identified and two officers had already been dispatched to notify the Foster family. Kennedy was waiting at the morgue when Craig Livingstone arrived. Why couldn't Kennedy do the identification alone? What was Livingstone expected to bring to the "identification"?

74. What transpired at the morgue is unclear. Livingstone and Kennedy must have asked for access to the body. It seems probable the two men did gain physical access, possibly an illegal act. Since civilian access to the body during a police investigation would have been improper, morgue supervisor Christina Tea must have balked. Did she call the Park Police commanding officer for an okay?. What would the commanding officer do in such a situation? Call the White House? Normally, family and friends must view a body from behind a glass window in a separate room. This regulation apparently was bypassed by Livingstone and Kennedy. Why couldn't they have made the "identification" in the usual manner?

75. The chronology of activities is noteworthy. Shortly after Kennedy and Livingstone left the morgue, officers Rolla and Braun arrived and found the missing car keys. Bear in mind that Foster's car keys were essential to the suicide hypothesis. When the keys suddenly appeared, the suicide verdict was rescued from a serious, if not fatal, discrepancy. Some observers have referred to this as the "magic keys" incident.

76. There are good reasons to doubt the White House claim it did not learn of Foster's death until 8.30 p.m. At about 6.15 p.m., White House aide Helen Dickey called the governor's mansion in Little Rock, Arkansas, to tell the governor Foster had killed himself. The call was received by trooper Roger Perry. He has said in a sworn affidavit (which subjects him to perjury charges) that he received the call about 6.15 p.m. Washington time. He states Ms. Dickey was crying. She told him Foster had shot himself in the White House parking lot. Perry says he promptly called several people to tell them the news. Among them was trooper Larry Patterson and former state police commander Lynn Davis. Both these men have signed affidavits attesting to these calls. Time estimates vary, but all three men agree the calls took place during rush-hour traffic in Little Rock. As a final note, consider that Ken Starr has never interviewed Helen Dickey.

78. That evening, at 8.30 p.m., Bill Clinton was waiting to be interviewed by Larry King. As Clinton was being prepared in the White House by a makeup artist, he chatted with Mack McLarty. According to the makeup artist, a male aide entered the room and told Clinton, "They found a note in Foster's office." This seems to contradict Clinton's claim he was not told about Foster's death until after his 9 p.m. interview with Larry King. Robert Fiske deposed the makeup artist, but her sworn statement was not included in the Fiske Report, one of many peculiar gaps in his porous report.

79. Patrick Knowlton drove into the parking lot at Ft. Marcy Park on July 20, 1993, the day of Foster's death. He was looking for a place to relieve himself. As he was about to leave his car, he saw a dark-skinned "Hispanic-looking" man who glared at him. Knowlton says the man stared at him with such ferocity he felt intimidated and hid his wallet under his seat. He says he had an odd feeling the man was warning him to stay away. After Foster's death was announced, Knowlton reported this to the Park Police. In the spring of 1994, an FBI agent finally interviewed Knowlton, nearly one year after Foster's death. The agent later wrote a report quoting Knowlton as saying he would be unable to identify the man he had seen. Knowlton

says this report was false. On the contrary, he had told the agent he remembered the man's face extremely well and was confident he could identify him. Why did the FBI lie about Knowlton's statement? Why wasn't Knowlton invited to look at police photos?

80. Knowlton would later describe the man to a sketch artist for the London Telegraph. This sketch was published in England, but the FBI unaccountably ignored this key evidence. Instead, the FBI launched a campaign of harassment and intimidation of Knowlton. Teams of agents harassed him 24 hours a day. He was followed constantly. Agents on the street used threatening gestures. Cars filled with four agents followed him. His phone rang in the middle of the night. Agents knocked on his door at 3 a.m. A journalist, a private investigator, and many of Knowlton's friends have witnessed this harassment. Knowlton is currently suing the FBI. Why has the FBI gone to such great lengths to intimidate Knowlton?

81. The Fiske Report makes no mention of Patrick Knowlton. Kenneth Starr refused to interview him until the artist's sketch appeared in the London Telegraph. When Knowlton was brought before the grand jury, Starr's prosecutor grilled him with great hostility, treating him as though he were a liar and a charlatan. (Note: The Fiske Report is riddled with lies and omissions. The following ten items (82-91) are examples of this malfeasance.)

82. The Fiske Report says, "Experienced FBI Laboratory Technicians in Washington performed extensive analyses of the physical evidence identified during the investigation." Not true. The FBI never did any analysis of the hair and fiber evidence.

83. The Fiske Report says, "In addition to conducting interviews, this Office examined documentary and photographic evidence including... documents removed from Foster's office at the White House and turned over to either the Clinton's private attorney or the Foster family attorney." This is ingenuous. For all we know, he may have seen only a handful of innocuous documents. Furthermore, he makes no reference to the documents that were placed in the private living quarters of Hillary Clinton.

84. The Fiske Report says, "The only vehicular entrance [to Ft. Marcy Park] is from the Parkway." Not true. Fiske unaccountably tries to gloss over the existence of a back road. This road comes 300 feet closer to the body site than the lot where Foster's Honda was parked. If Foster's body had been transported to the park, the killers would probably have used this back road because of its privacy and proximity.

85. Besides ignoring this back road, Fiske pays little heed to the condition of the ground leading to Foster's body. The relatively steep slope (about 45 degrees) drops down to a ditch. As described by a witness, the underbrush from the body down to the ditch and up the other side of the ditch had been trampled down. Foster could not have flattened this amount of underbrush without climbing up and down the slope several times. In other words, the swath looked like it had been created by several people climbing the slope. This trampled path led toward the old road that Fiske has not acknowledged. Once again, the operative suicide verdict precluded a reasonable theory: namely that Foster's body had been brought in via the old road and carried over this trampled path by several men.

86. Fiske interviewed a couple that had been in the parking lot. His report states, "Neither individual heard a gunshot while in the Park or observed anything unusual." This contradicts what the woman told the Park Police. She told officers she had noticed two men hovering around a Honda with its hood up. Was this Foster's car? How can this be dismissed as not being "unusual"?

87. The Fiske Report only briefly refers to Foster's car keys, saying, "The keys to

the car were located in Foster's pants pocket." This is clearly misleading.

88. The Fiske Report tried to make a case for Foster being deeply depressed before his suicide. Fiske says, "Although no one noticed a loss of appetite, it was obvious to many that he had lost weight." There is no basis for this claim. Based on Foster's medical records, Foster actually gained six pounds during the time frame in question. Fiske saw these medical records. Why did he invent a weight loss?

89. In order to promote the suicide conclusion, Fiske and others have argued Foster was deeply depressed. This runs contrary to statements by all of Foster's friends and professional associates. None detected any signs of depression, and they were all stunned by his suicide. Fiske brazenly altered or twisted the statements of all those witnesses who said they saw no signs of depression in Foster.

90. Many depositions are conspicuous by their absence. For example: Fiske did not depose Maggie Williams, who was seen carrying boxes of documents from Foster's office. He did not depose Helen Dickey, who made a 6.15 p.m. call to Little Rock to report that Foster had been found dead in the White House parking lot. Fiske did not depose Craig Livingstone to determine why it was necessary for him to drive to the morgue to join Kennedy for an alleged "identification." And so forth.

91. The Fiske Report gives the impression that thorough forensic work was done in the original investigation. Some idea of how thorough this work was comes through in Dr. Beyer's deposition. Consider the following questions and Beyer's answers:

Q: I would assume that most autopsies would be pretty standard but wonder if there is a way to determine if the autopsy on VF was SOP. You used the expression concerning the gunpowder on both hands, that it was interpreted "grossly" as gunpowder. A: "Grossly" noted the appearance of gunpowder. Q: But you didn't make any more specific identification than that? A: No, sir. Q: Doctor, is it your testimony that your office would not make a determination as to, or make an analysis as to time of death absent a specific request from law enforcement personnel? A: If they wanted assistance, we would furnish it to them. In this particular case, I have no record that it was asked. Q: Did you have the fingernails scraped for debris? A: They didn't ask for that examination to be done.

92. Beyer's testimony that the autopsy was "standard" is simply false. When autopsies are done at the request of the police, it is standard procedure for the police department to have investigators present to serve as witnesses and to answer any questions the medical examiner may have. Under White House pressure, Beyer circumvented this by suddenly moving the autopsy up 24 hours. This enabled him to work on the body for an undetermined amount of time with no witnesses present. By the time police investigators arrived, Beyer had removed Foster's soft palate and tongue and had driven a metal rod through Foster's skull to "illustrate" the official "exit wound." A mysterious "assistant" had been working with Beyer. Beyer refused to identify this assistant to the police. As a final thought, consider that all those who originally handled the body never saw an exit wound in the back of Foster's skull.

93. Sundry contradictions are found in the medical reports. Dr. Anh Hyunh, who did the blood toxicology, stated in the official report that no Trazodone (an antidepressant) or Valium-derivatives were found in Foster's blood. Subsequently, the FBI did a report for the Senate Whitewater Committee in which it was stated that Trazodone and Valium-derivatives had been found in Foster's blood. This would help confirm Fiske's claims that Foster was depressed, but it directly contradicts the report of Dr. Hyunh, the official toxicologist. Did the FBI falsify evidence to support the depression thesis? We now know from testimony by Dr. Frederic Whitehurst, formerly of the FBI labs, that the labs have a history of tampering with evidence.

94. The FBI reports that have been made available have been drastically censored. Large sections are entirely blacked out. In many cases, one asks why. For example, when Foster's body was rolled, Officer John Rolla made an observation that was noted in the original report. His remark has been blacked out. Why did the FBI feel it was necessary to delete this? Better yet, why censor any forensic details from a report on a simple suicide?

95. According to Foster's secretary, approximately six hours before his death, Foster mailed a letter to his mother. He has often been described as a "southern gentleman" with extremely genteel manners. He was especially courtly toward women. He seemingly had a healthy relationship with his mother. Despite this, his letter to his mother, sent only hours before he allegedly killed himself, does not contain a single expression of feeling. There is no hint whatsoever this would be his last communication with his mother.

96. There is much in Foster's behavior during the days preceding his death that indicates he had no intention of killing himself. Only days before his death, he called James Lyons, a friend and trusted advisor in Denver. He told Lyons he needed him in Washington. They made plans for Lyons to fly to Washington on Wednesday, July 21 (the day after Foster allegedly killed himself). Foster called Lyons again on Sunday to confirm their Wednesday appointment. It seems clear Foster was planning on meeting Lyons. It also seems highly unlikely he intended to kill himself the day before the arrival of his friend.

97. All indications are that Foster deeply cared for his sister Sharon Bowman. Sharon still lived in Arkansas. She traveled 1,000 miles to Washington to visit her brother, only to arrive the day of her brother's death. Consider that Vince had talked to Sharon and promised her an exciting personal tour of and lunch at the White House. It seems apparent he was looking forward to seeing his sister. Yet he supposedly killed himself on the day of her arrival. Such an incredibly cruel way to miss his date with Sharon is not consistent with the affection Foster felt for her.

98. For four years, Ambrose Evans-Pritchard of the London Telegraph relentlessly pursued the countless discrepancies of the Foster case. During his investigations, his Washington apartment was broken into, and his four computers were taken. Was this primarily to steal his hard drives? His car was later broken into and his briefcase was taken.

99. The late Jerry Parks owned a detective agency in Little Rock. According to Jane Parks, his widow, he had often done mysterious jobs for Vince Foster. She says that shortly before he died, Foster telephoned Jerry. She overheard Jerry's half of the conversation. She says her husband became highly agitated. He begged Foster not to do something Foster was intent on doing. After Foster died, Jerry became extremely fearful and started carrying a gun. He was gunned down gangland style within a month of Foster's death. According to Jane, shortly thereafter, teams of FBI agents ransacked the Parks' house. They removed all office files, film negatives, tape recordings, and floppy disks. Jane says these searches happened repeatedly. Apparently, none of the searches or confiscations was legal.

100. According to Secret Service logs, at 7 p.m. the day of Foster's death, an entry alarm went off in Foster's office. To my knowledge, this has never been explained or even referred to in official reports on Foster's death. According to Secret Service logs, at 7.10 p.m. that evening, a group listed as "MIG" logged into the White House. Aide Patsy Thomasson arrived at the same time. Ambrose Evans-Pritchard believes MIG stands for Maintenance and Installation Group, a group of experts who handle such things as safes and surveillance equipment. MIG and Patsy

Thomasson left together. No official explanation has ever been given to account for these comings and goings. Patsy Thomasson was one of the White House aides who reportedly searched Foster's office. Did MIG assist her by opening Foster's safe? Did MIG disable the entry alarm?

101. To my knowledge the following story has never been investigated. Debra von Trapp was a member of George Bush's staff during his presidency. She served as a computer surveillance expert. She worked with a team that has been described as Bush's "plumbers unit." In this capacity, she often worked with an FBI agent. According to von Trapp, [this agent] sounded drunk and extremely excited when he called her California home from Washington, D.C., at 11 p.m., July 20, 1993 (the day of Foster's death). She says she records all phone conversations. This is a partial transcript of her alleged exchange with [the agent].

AGENT: "We did him! We did him!"

DT: "Did who?"

AGENT: "Vince Foster."

DT "What do you mean?"

AGENT: "We did him!"

DT: "Well, where did you do him?"

AGENT: "Well, we did him somewhere else, but we dumped him in a queer park to send Clinton and his queer wife a message!"

Although von Trapp wrote a long letter to Kenneth Starr detailing this and other allegations, to my knowledge, he never deposed her or [the agent]. Nor did he request the tape recordings of the alleged phone conversation. Nor did he check the phone company records to verify the phone call. Why not? Some Fostergate researchers suspect Ms. von Trapp is a disinformation agent trying to cloud the debate. I spent several hours interviewing Ms. von Trapp and did not hear anything that would support those suspicions. My strongest impression was that she was genuinely frightened. In any case, whatever one concludes about her credibility, it remains rather odd that she has never been deposed before a grand jury.

In the original of this report I did not include an item that now looms more significant. The Clintons had ordered that one of the White House offices be completely recarpeted shortly before the death of Vince Foster. The day following his death, a crew of workmen arrived at the White House and completely ripped up and removed what was a nearly brand new carpet. They hastily piled the carpeting into a van and quickly left. The final destination of that carpet and why it was so hastily removed during the chaos and trauma following the death of Foster are mysteries I've never been able to solve.

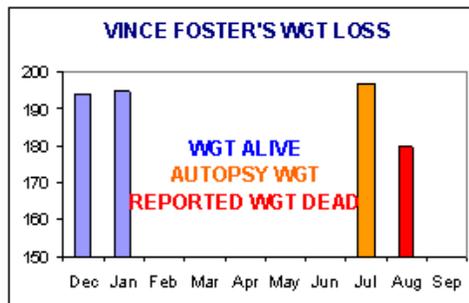
However, it strikes me as entirely possible this carpeting was evidence of a crime committed within the White House. Was the carpet bloodstained? Did it contain other forensic clues? In short, is it possible Vince Foster was actually murdered within the White House. The fact that two key videotapes, which would have shown Foster leaving the White House on the day of his death, are both missing. What did they show? Is it possible the tapes showed a large, bulky object being hastily removed and placed in the trunk of a vehicle?

I did not include these speculations in my original list of 101 precisely because they are just that — speculations. I'm tacking them on well after my first publishing of this report. I still have no clear answers as to where Foster was murdered. I do, however, now lean toward the possibility he was killed in the White House. . . .

This list is tentative and remains open to corrections and debate. I can be contacted at: [usereason@earthlink.net](mailto:usereason@earthlink.net)

## *Vince Foster's post-mortem diet and depression*

*Based on research by Hugh Sprunt  
A more detailed discussion of anomalies follows the chart*



TIME PERIOD	SOURCE	HEALTH	WEIGHT
<i>August 1990</i>	<b>MEDICAL RECORDS</b>		207 pounds
<i>December 1992</i>	<b>MEDICAL RECORDS</b>	On diet and exercising according to doctor's notes	194 pounds
<i>January 27, 1993</i>	<b>SECURITY FORM SIGNED BY FOSTER</b>		195 pounds
<i>Lunch on day of death July 20, 1993</i>	<b>WITNESSES</b>	Cheeseburger, fries, Coke, M&Ms. Ate all but M&Ms.	
<i>Night of death July 20, 1993</i>	<b>PARK POLICE</b>	<p>Interviewed about a dozen family and friends. Police officer reported, "One of the last things I got from Mrs. Foster -- I asked her was he -- did you see this coming? . . . Everyone said, no, no, no, no, he was fine. . . . Nobody would say anything about depression or that they noticed some signs, they were worried."</p> <p>Later, in answer to a question from a Senate staff attorney, an investigator said, "I mentioned depression, did you see this coming, were there any signs, has he been taking any medications? No. All negative answers."</p>	197 pounds at autopsy  (Does not include lost blood)
<i>One day after death</i>	<b>BERYL ANTHONY Foster's brother-in-law</b>	<p>Asked if Foster had been depressed during the two weeks before his death, Anthony said, "There is not a damn thing to it. That's a bunch of crap."</p> <p>Interview of three White House secretaries: "I#11There was</p>	

		sense of killing himself. I can tell you that thought did not enter people's minds," the friend said. Clinton addressed the mystery himself. "No one can ever know why this happened."	
<i>6 days after death</i>	<b>PARK POLICE</b>	"Mr. Anthony stated that he and his wife had noticed a gradual decline in Mr. Foster's disposition to the point of depression. . .During the month preceding Mr. Foster's death, Mr. Anthony stated that the and his wife noticed that Mr. Foster's depression had become increasingly worse and became very worried about Foster's well being. . . His wife had given Mr. Foster a list of three counselors, psychiatrist or other doctors to do counseling."	
<i>9 days after death</i>	<b>LISA FOSTER</b>	Tells Park Police that husband had been taking an anti-depressant	
<i>Soon after death</i>	<b>LAB TESTS BY VA. DIV. OF FORENSIC SCIENCES</b>	Lab tests come up completely negative re anti-depressants.	
<i>August 3, 1993</i>	<b>BOYCE RENSBERGER IN THE WASH POST</b>	"No one around him has said they were aware of any problems."	
<i>August 9, 1993</i>	<b>SIDNEY BLUMENTHAL IN NEW YORKER</b>		Had lost 15 pounds
<i>August 15, 1993</i>	<b>DAVID VON DREHLE IN THE WASH POST</b>	"He had a difficult time sleeping. He felt guilt and worthlessness. His concentration at work was flagging although it was so high to begin with, he still functioned well."	Had lost 15 pounds since coming to Washington
<i>Some months after death</i>	<b>LAB TESTS BY FBI</b>	Lab tests reported anti-depressants in Fosters's blood. This during a time when an FBI whistleblower was complaining internally that the labor was playing fast and loose with its reports.	
<i>Post death</i>	<b>FAMILY DOCTOR</b>	Told FBI that he did not think Foster was significantly depressed and that the prescription was just to help him sleep better. PRescriptin was one fi fth the initial aveage daily dosage for depression.	

<i>Post death</i>	<b>MRS FOSTER (From FBI handwritten notes)</b>	Said Foster had been "fighting" taking the prescription for sleeping pills dispensed several months earlier for insomnia. Foster was concerned they might be addictive.	
<i>Post death</i>	<b>MRS. FOSTER (From FBI final report)</b>	Her words are changed to "fighting depression."	
<i>June 1994</i>	<b>FISKE REPORT</b>	Family doctor had prescribed an anti-depressant the day before the death.	Weight loss "obvious to many"

## MARCH 2004

### SUPREME COURT JOINS THE VINCE FOSTER COVER-UP

[REPORTERS COMMITTEE FOR FREEDOM OF THE PRESS](#) - The U.S. Supreme Court today unanimously rejected the efforts of California attorney Allan Favish to see pictures taken at the scene of the death of the late Vince Foster, deputy counsel to the Clinton White House. The decision, written by Justice Anthony Kennedy, addressed an interest of Foster's sister, wife and children, in not being reminded of their grief by disclosure of the photographs. It added "survivor's privacy" to the interests that can be protected under the privacy arm of the law enforcement exemption to the Freedom of Information Act.

The Reporters Committee for Freedom of the Press and other news media groups had asked the court to reject government arguments that its own investigations precluded any further need for public oversight that might be served by disclosure of the photographs. The news media said that there is plainly a public interest in the investigation of the death of a public official who, as Foster, possessed information involving an ongoing investigation of high level administration officials.

Under the ruling, FOI Act requesters who seek evidence of government wrongdoing from death images or data in government records must now provide the government independent evidence of wrongdoing before agencies will consider making records available. "The new requirement that requesters must show evidence of government impropriety before such records will be released will almost surely prevent reporters and other interested citizens from investigating suspicious deaths," said Reporters Committee Executive Director Lucy Dalglish. "I don't know how you can expect requesters to prove a negative before they are entitled to a record under the Freedom of Information Act."

[ALLAN FAVISH](#) - On the privacy part, they were told by me of two 1969 federal decisions, one a district court opinion and another a court of appeals opinion, that demolished their "common law privacy" theory that supposedly allows for somebody to have a privacy interest in a document that has no information about that person in the document. These two federal cases disapproved of the 1895 and 1930 cases the Supreme Court relied upon. So how did they deal with the 1969 cases? Just like the evidence -- they didn't even mention them.

I also asked the district court and the Ninth Circuit to apply redaction principles to image documents just as is commonly done to text documents and argued that whatever privacy interest they may find, if it doesn't apply to the entire photo, then redact the part to which the "privacy" applies and order the remaining part of the photo released because there is no legal right to withhold the non-privacy part. The Supreme Court ignored that issue entirely.

Also, it is unusual for the Supreme Court to make factual findings, as it did here regarding the evidence not being enough to justify a reasonable person in thinking that there may be government negligence here. But if the court is going to make a factual finding, rather than send it to the district court for that finding, then the Supreme Court should at least indicate in its opinion that it has reviewed the evidence and discuss it. The Supreme Court did not indicate that

it had reviewed the evidence or even state that it viewed the original photos at issue. Nor did it discuss the evidence.

[MORE ON THE PHOTOGRAPHS](#)

## FROM THE MIGUEL RODRIGUEZ TAPES

*[These tapes were made in 2003. They claim to include the voice of Miguel Rodriguez, something he has never denied nor confirmed]*

NARRATOR - You are about to hear the voice of Miquel Rodriguez, a United States Attorney working in Sacramento California.

Mr. Rodriguez resigned from Kenneth Starr's office of Independent Counsel in the spring of 1995, when Kenneth Starr's staff frustrated his investigation. Mr. Rodriguez resigned because he refused to join the others in covering up Foster's murder. Mr. Rodriguez revealed the truth to over a hundred people - journalists, congressmen, senators, and others, in his attempts to get the facts of the case to the public. What you will hear are actual excerpts from some of these conversations. Only the voice of Mr. Rodriguez is heard, to protect confidential sources. . .

Reporters and editors have deceived people by publicizing the foolish idea that that too many people would have to be involved for a cover-up to remain secret.

MIQUEL RODRIGUEZ: There's not that many people who know these things really. You don't need a lot of people to know what's going on. In fact, you don't need many at all. Everyone makes a very big mistake when they believe that a lot of people are necessary to orchestrate some kind of - some result here. Very few people need to know anything about anything, really. All, all people need to know is what their job is, not why - be a good soldier, carry out the orders.

And there are a lot of people from - starting at the very night that the body was investigated, all the way down the line, there were, there were, people told to do certain things and they didn't - and their explanation now is, that they were following orders, being told what to do.

Nobody, ah, and this goes for, the FBI agents - they all, they don't necessarily know the big picture - they don't know what other people are writing in their reports. When you write a report all you have to do is make sure that it's consistent with - the most innocuous thing is to make sure it is consistent with the result that you ultimately want to get, which is not embarrass your other colleagues who have made their conclusions already.

It's a motivation which is that simple and, and, you know all of a sudden your notes don't exactly reflect what other people have said. It's very simple. It's a very, a very, ah, clean formula to achieve the result. You don't have to know the big picture. All you need to do is just have a couple of people involved. . .

NARRATOR - Clearly, the American press participated in the cover-up of Foster's murder. Miquel Rodriguez reached out and told "over 100" reporters much more than you're hearing today. The American press only parroted the official lie that they were spoon-fed by Kenneth Starr's Office of Independent Counsel.

MIQUEL RODRIGUEZ - I have talked to a number of people that - you know, from Time Magazine, Newsweek, Nightline, the New York Times, Boston Globe, the Atlanta whatever, um, you know there have been well over a hundred, and this - this matter is so sealed tight um, and, the reporters are all genuinely interested but the ah, the ah, um, - reporters are genuinely interested but the ah - when they start to get excited and they've got a story and they're ready to go, the editors - and they - I've gotten calls back, I've gotten calls back from all kinds of magazines worldwide, what the hell's wrong, why can't, you know, you were telling me that you, you didn't think this would go anywhere and sure enough I wrote the stories.

They went to all the trouble of writing, and then it got killed. Again, I, I, you know, I spent almost eleven hours with, with Labaton, or six hours with Labaton, and ah, you know, I know the guy knows, um, that there's a lot more, um, ah - I know, I know the New York Times has it - knows, and just won't ah, ah, I know that they won't do anything about it and I do know that, that many people have called me back. Reporters that I've spent a lot of time with called me back and

said the editors won't allow it to go to press. The accepted media here has always had, ah, a certain take on all of this. And there's been story lines from the get-go. . .

NARRATOR - Who has the power to threaten the United States Attorney without consequence? Miquel Rodriguez was threatened. He was threatened professionally, physically, and personally.

MIQUEL RODRIGUEZ - The Independent Counsel themselves, and the FBI, beat me back, and in fact threatened me. They told me to quote, this is a quote, "back off." It was either "back off or back down." They used both of them.

You know it's - I have been communicated with again and told to you know, to be careful where I tread.

I can tell you this, that ah, ah, that it has not only to do with my career and reputation, um, they've also had to do with my personal health and my family. . .

NARRATOR - Rodriguez tells us that Starr used many of the same investigators that were responsible for the Fiske investigation -- the same FBI agents.

Associate counsel Mark Stein and Deputy Independent [Counsel] Roderick Lankler, whose names appear on the cover of Fiske's Report, were also retained by Starr. Rodriguez relates how Stein and Lankler reacted when he suggested that different FBI agents be used to reinvestigate Foster's death.

MIQUEL RODRIGUEZ - Well, I couldn't believe it, and these people Mark Stein and what was that guy's name, ah from New York, it starts with an "L", Lankler. My God, I couldn't, they were, they had the nerve to look at me straight in the eye, and ah, when I said, "Look, I think it might be a good idea to use different FBI agents." They went through the roof! They went absolutely nuts! They had everything the way they wanted it. It was a complete sham job. You know, again, I just think it is a whitewash. . .

NARRATOR - This is the third in a series of audio presentations produced by Whitewater grand jury witness Patrick Knowlton and his lawyer John H. Clarke. . . In 1994 and 1995, Miquel Rodriguez was the lead prosecutor investigating Mr. Foster's death. Rodriguez thoroughly reviewed all of the federal records in the Foster case. Despite Ken Starr's and the FBI's attempts to hide the first generation crime scene photographs from him, Rodriguez discovered the original photographs.

MIQUEL RODRIGUEZ - Miquel Rodriguez, from the U.S. Attorney's Office. It is one thing to have read five, ten to twenty, you know, ten thousand pages worth of documents and to know what I know. I mean facts are a strange thing because they can't be denied. And, you know, and like, for example the 35-millimeters, the hand is in a different position than the Polaroids and like if you look at some of the weeds, little weeds, fibers coming up through his hand they are different on photographs, different ah, different photographs indicate different positions based on the vegetation.

NARRATOR - Miquel Rodriguez discovered that the investigators were treating witnesses inappropriately. Deputy Independent Counsels John Bates and Mark Tuohey and Associate Independent Counsel Brett Kavanaugh used the FBI to harass and intimidate witnesses who had no reason to lie. Witnesses who told investigators Foster's gray car was not at Fort Marcy Park were re-interviewed, harassed, and intimidated. The goal of Starr's office was to silence witnesses whose accounts contradicted its desired result.

MIQUEL RODRIGUEZ - One thing that I met fierce opposition to, in the trenches, inside the Independent Counsel was this, I was really upset that, the, um, the witnesses who had no incentive to lie, this is the way I phrased it, why is the FBI harassing and re-interviewing witnesses who have no incentive to lie and yet we are treating with rubber gloves persons who do have an incentive to lie, and or at least not be candid. And who in fact, have made misstatements involving questionable...

What does this guy Knowlton have to gain in saying something that he said from the outset and continues to say today? And he should take an incredulous, and others should take an incredulous attitude, like a, why are you questioning me? And even in the grand jury, people can respond this way, people don't know it, why are you pushing my? why are you following me? Why are you, and

you know, if Knowlton wants to make a statement, he is certainly welcome, you know, there is no problem in asking why am I being followed? Why am I, why was I being harassed in the grand jury? Knowlton should find comfort in the fact that he is not alone. He needs to know that. The guy is a damn hero.

What they are trying to do is discredit him by making him out to be, um you know a homosexual cruising at a park. The reality is we had this fight a year ago, and I was literally irate with Tuohey and the FBI agents who were snickering and laughing with Brett about this. And I was just livid! And I said I don't care if they were there @#&\*ing their favorite tree I said! The fact of the matter is if they know what they saw that does not discount them, as for having the ability to recall what they saw with there own eyes! And I don't care again, if they were #@\*%ing their favorite tree. And the FBI finds it particularly funny.

There is a pattern in the treatment of all of the witnesses. It is absolutely crystal clear and you can only see it when you have gone through the ten thousand, fifteen thousand documents. And when you do so, you will see that, that there is a pattern of basically harassing and misstating people who are sort of the innocent bystanders, including the EMTs [Emergency Medical Technicians] and the people who are law enforcement and FBI and White House are being interviewed once and accepted as being true. The EMTs are outstanding people, all outstanding people. They really are.

No, actually it was upon review of all of the documents in this case, my observation and statements that I indicated to, to Tuohey and Starr was that witnesses who had no incentive to lie were being unduly, questioned, (pause) inappropriately. Persons with no incentive to lie were being inappropriately treated. I think I could stand by that. You know, that was something that I believed, I believed it from the outset. You know, people like the Park Police were never asked tough questions. I tried to ask them tough questions and they beat the hell out of me. It was just bass backwards. . .

MIQUEL RODRIGUEZ - This whole notion of doing an honest investigation is laughable. I knew what the result was going to be, because I was told what the result was going to be from the get go.

[http://www.aim.org/special\\_report/1474\\_0\\_8\\_0\\_C/](http://www.aim.org/special_report/1474_0_8_0_C/)

## Hugh Sprunt on Vince Foster's Death

### **A Washington Tragedy**

**By Dan Moldea**

*A Review by*

*Hugh Sprunt (c) April 1998*

There have been seven known government investigations concerning the death of former White House Deputy Counsel Vincent W. Foster: the US Park Police investigation, the simultaneous one conducted by the FBI in parallel with the Park Police, the separate FBI investigation into the discovery of the so-called Foster "torn note" in Foster's briefcase six days after his death, the one performed by Robert Fiske (the first "Whitewater" Counsel), that conducted by Rep. William Clinger (then ranking Republican on the Committee on Government Operations), the one conducted by the Senate "Whitewater" Committee, and the investigation done by the current "Whitewater" Independent Counsel, Kenneth Starr and released to the public on October 10, 1997 (the "top-level" reports).

Thousands of pages from the underlying government investigative record have been released as well (subsidiary reports of various kinds, testimony, depositions, FBI and Park Police witness interview reports, laboratory reports, investigators' memos and handwritten notes, etc.). It is critical to emphasize two points: the only source for the conclusions claimed for in the top-level reports is, of course, the underlying investigative record the government compiled and, at the time the underlying record was being created, the investigators involved had no idea the documents they were creating would ever have to withstand public scrutiny.

Since the top-level reports reached the same conclusion - that Foster killed himself on the

spot where his body was discovered at Fort Marcy Park, Virginia, with the 1913 Army Colt .38 Special revolver found in his hand by firing a bullet into his mouth that exited the upper rear of his head - it is legitimate to ask why there is still any controversy remaining about Foster's death. If, on the other hand, numerous material discrepancies remain unexplained or unmentioned in the top-level reports after so many investigations and so much effort, it would be all the more appropriate to question the legitimacy of the government's claims about the death.

In part, the Foster controversy survives due to the work of reporters such as Chris Ruddy and Ambrose Evans-Pritchard, both of whom had books published last year about their examination of the death explaining why they continue to question the official conclusions. The controversy also survives due to document analysis and fieldwork done by others, including Reed Irvine of AIM, who have also reported serious problems, if not more, with the official conclusions. Having evaluated that record with care, Reed Irvine, like Ruddy and Evans-Pritchard believes that, however Mr. Foster came to grief, be it suicide or be it murder, 1) the official death scene was materially altered and 2) Foster did not die in that park.

According to his publisher, Dan Moldea's just-published book, *A Washington Tragedy - How The Death Of Vincent Foster Ignited A Political Firestorm* (Regnery; \$24.95), "investigates all the details of the death of Vincent Foster and runs down all the clues and evidence. His trained eye for detail is evident on every page. . . He answers all the questions that have been raised." According to the author, "This work is based on my numerous exclusive interviews with the top investigators, both official and unofficial, in the Foster case, as well as a close reading of the thousands of documents they authored." Moldea promises his readers "a straight narrative about the Foster investigations, organizing it into a chronology of events," without "placing my own personal spin on the actual words written and spoken between and among the characters."

To his credit, Moldea mentions some of the sizable discrepancies between the factual conclusions endorsed by the top-level reports and the content of the underlying official investigative record. In sharp contrast, the reports ignored or greatly minimized government evidence, however significant, inconsistent with the official conclusions about the Foster death.

The confidence the authors of the top-level reports express is extremely high. Fiske: "On the afternoon of Tuesday, 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." Fiske's successor, Independent Counsel Starr agrees with the prior official reports and quotes his own experts: "[I]n my opinion and to a 100% degree of medical certainty, the death of Vincent Foster was a suicide. No plausible evidence has been presented to support any other conclusion."

Moldea concludes that none of the discrepancies within the record are of any significance and agrees with the conclusions in the top-level reports. He differs only in that he believes that the "triggering event" for Foster's suicide "occurred within his private life, not his public career," namely, Mr. Foster's "unhappiness with the state of their marriage since his move to Washington." What is the nature of the discrepancies, many alluded to by Moldea but many not, that continue to cause some to believe the Foster death involves a significant cover-up - a cover-up that continues to this day? This review of *A Washington Tragedy* will cover one major official claim in detail and highlight a few others, all framed within the context of Moldea's new book.

Clearly, it would be astounding in an investigative record that spans many thousands of pages not to discover numerous discrepancies. That said, all material discrepancies should have been dealt with prior to the drafting stage of the top-level reports, either by reconciling the apparent discrepancies in a reasonable and innocuous manner or, if that could not be done legitimately, by shaping and qualifying the conclusions in the reports to reflect reality.

If it can be shown that "enough" high-quality material discrepancies exist within the government record of the Foster death, the American public should not be expected to be confident the government's conclusions about the Foster death are truthful.

Stated a different way for the purposes of this review: Is Dan Moldea correct to dismisses all discrepancies as, in his words, "insignificant details" that have been over-hyped the "minutiae peddlers of the Foster case"?

You, the reader, will be the judge as you evaluate the limited sample of discrepancies below from the wealth of disconnects and contradictions within the official record. As you pause now to slip into your judicial robes, I ask that you hark back to the familiar statue of "Blind Justice." You know her well: the blindfolded lady, holding high the scales of justice that enable her to weigh evidence intelligently and impartially.

Much has been made in the official reports, newspaper stories, magazine accounts, and books regarding Foster's depressed mental state in the weeks before his death. The official consensus is that Foster was clinically depressed, but an examination of the underlying record severely challenges, if not utterly destroys, this claim.

Moldea accurately reports that the White House position on Foster's mental state in the weeks prior to his death changed radically several days after his death, attributing this shift to the discovery by the White House, on July 26, of the so-called "torn note" in Foster's briefcase - a laundry list of items said to have been troubling him.

The existence of the torn note was not made public until about 30 hours after it was found - and not until after several discussions about it were held at the White House (at least one with the widow and her attorney).

Beginning the night of the death and for several days thereafter, those who knew Foster expressed nothing but shock and surprise.

No family member or close friend initially voiced any concern about Foster's mental state, but around the time of the torn note's discovery, seemingly everyone who knew Foster began to describe how "down" or "depressed" he in fact had been in the weeks before his death.

Rather than the cause of the radical flip-flop on Foster's mental state, at a minimum, the official reaction to the discovery of the note, if not the note itself, may have been a prudent tactical response to the death. Had Foster's death remained the unexplained "bolt from the blue" that his family and close friends initially described, ongoing public interest in the 'mysterious' reason behind the death of this senior administration official and long-time confidante of the Clintons would have been legitimized.

On the other hand, if it could be successfully claimed that Foster had been clinically depressed for one or more of a laundry list of reasons (failed administration political appointments, the "gays in the military" issue, "Travelgate," the burning of the Branch Davidian complex in Waco, political infighting at the White House, the Wall Street Journal's editorials, the Clintons' tax returns and blind trust, and Health Care Task Force litigation) the clinical depression claim alone would tend to forestall further inquiry by subjecting outside investigators in the media and elsewhere to charges of insensitivity and political partisanship ('scurrilous right wing kooks with cockamamie theories profiteering on the death of Vince Foster' being a typical composite allegation).

There are gaping holes in the attempt to paint Foster as clinically depressed. Apparently casting about for a physical symptom of clinical depression, Fiske reported that Foster's weight loss was "obvious to many" (media accounts shortly after the death placed the weight loss at 12-15 pounds), but Foster's medical records are consistent: Foster lost no weight, based on his weight just before starting his White House job and his weight when he died on July 20, 1993.

Fiske reported that the Foster family doctor had prescribed an "anti-depressant" the day before the death, but the doctor - a long-time family friend - told the FBI that he did not think Foster was significantly depressed and that he felt the prescription in question was merely to help Foster sleep better. The specific drug and the single daily 50 milligram dose said to have been prescribed for the 6' 4" 200-pound Foster - the smallest tablet manufactured and about one-fifth the initial average daily dosage to treat depression - corroborates the doctor's insomnia explanation.

The handwritten FBI interview notes of the widow state that Foster had been "fighting" taking a "prescription" for sleeping pills ("Restoril," generic name "tamazepam," a benzodiazepine) dispensed several months earlier for this same insomnia (according to his widow, Foster was concerned the sleeping pills could be addictive), but the typed FD-302 report of the interview states in the equivalent location that Foster had been "fighting depression," a significant alteration in wording by the FBI, apparently made to buttress the official claims that Foster was depressed.

What did the Park Police learn about Foster's recent mental state when they spoke to family members and close friends the night of the death? Despite contemporary media reports that the Park Police were denied entrance, two Park Police investigators each spent 70 minutes in the Foster home that night. The investigators' depositions provide significant information regarding the real-time perspective of Foster's family and friends immediately after they learned of the death and several days before those closest to the administration began to bruit about allegations of clinical depression.

Based on the numerous statements that surfaced several days after the death that Foster had been struggling with clinical depression for several weeks, the numerous relatives and close friends who gathered at the Foster home the night of the death should have been describing to the investigators (and to each other) symptoms of clinical depression they had observed in Foster.

This is emphatically not what the two investigators discovered in their 70 minutes asking spent asking questions at the Foster home that night. Presumably, the dozen or so friends and family who were present (many of them attorneys) realized that the investigators were not present to make idle social chit-chat, but were conducting a formal investigation into the death of a high-ranking federal official, and took the questions they were asked seriously.

Here are some quotes from the Senate depositions and testimony about the interviews conducted that night:

One of the last things I got from Mrs. Foster - I asked her was he - did you see this coming, was [sic] there any signs of this. . . everyone said no, no, no, no, he was fine. This is out of the blue. . . [Foster's sister, Sheila Anthony] was talking with us. . . I spoke with her, [the other Park Police Investigator present in the Foster home] spoke with her. She was very cordial. I remember asking her, did you see any of this coming, and she stated, no. Nobody would say anything about depression or that they noticed some signs, they were worried." "[We] asked, was there anything, did you see this forthcoming [sic], was there anything different about him, has he been depressed, and all the answers were no."

The Senate staff attorney also asked the investigator if he found out Foster was taking any medication, specifically any anti-depressant drug:

Q: Did anyone at the notification [the death notification and initial interviews at the Foster home, 9:00 - 10:10 PM EDT on July 20] mention depression or anti depressant medication that Foster might have been taking?

A: I mentioned depression, did you see this coming, were there any signs, has he been taking any medication? No. All negative answers.

Moldea reports none of this information and instead incorrectly writes that the investigators

at the Foster home that night wanted to find out about any drugs Foster was taking, but had been unable to do so.

Lab work done as a part of the autopsy tested Foster's blood, vitreous humor, and urine, and included specific tests (all performed by the Commonwealth of Virginia's Division of Forensic Science) for the presence of antidepressants, including particular tests for the presence of "tricyclic antidepressants" and "benzodiazepines," even though the Park Police investigators had been specifically told by family members and close friends that Foster was not taking any anti-depressant medication.

The tests came up completely negative re all anti-depressant drugs screened, specifically excluding the presence of any "tricyclic antidepressants" or "benzodiazepines." It is not certain on the face of the report whether Trazodone [Desyrel] was specifically tested for by the Virginia Division of Forensic Sciences or not.

The first known official claim that Foster had been taking anti-depressant medication, came from Lisa Foster nine days after the death. She told the Park Police on July 29 that Foster had taken Trazodone [Desyrel] the night before his death. Indeed, in the words of the widow's subsequent, and only, FBI interview conducted for the Fiske investigation:

"How were you aware that your husband took one 50 mg. Dose of Trazodone on the evening of 7/19/93?"

"LF [Lisa Foster] told VF [Vince Foster] to take one and she also saw him take it."

The night of the death, when asked by the Park Police investigators if her husband had been taking any medication, specifically any anti-depressant medication, she said no, even though a few days later she told other Park Police investigators Foster had taken anti-depressant medication just one day before his death and later told the FBI that she had told her husband to take the anti-depressant and had watched him take it.

The "new" information first surfaced in the only other contact that the Park Police were permitted to have with the widow, a 50-minute session in her attorney's office that ended at 5:00 PM sharp, three days after the discovery of the torn note and two days after the widow and her attorney had attended a meeting at the White House to discuss the then still-secret torn note.

This interview had at least one other unusual aspect. According to the deposition of the senior officer conducting the interview: "You know, we didn't have to question her a whole lot." The widow gave more of a verbal statement than an interview, he said. Indicating that he thought Mrs. Foster was "happy to get some things off her chest," the senior Park Police officer also considered that "she had gone over it with her lawyer so many times she had it down pat. . . I don't think we ever asked her a direct question. . . We did not interview any of the Foster children [the youngest of the three about to start his senior year of high school]. [The widow's attorney] would not make them accessible to us."

It was not until a re-test of the blood some months later by the FBI Lab that, *mirabile dictu*, the presence of both Trazodone and a benzodiazepine (Valium) in Foster's blood was reported - in time to buttress the June 30, 1994, Fiske Report claims that Mr. Foster was clinically depressed.

The completely contradictory Virginia Division of Forensic Science report that no such drugs were detected (the Virginia report was, of course, based on recently drawn samples) was not made public until after the Fiske Report was released and few paid any attention to it any more than to the immediate post-death denials by the widow, other family members, and close friends that Foster was either "down" or was taking any antidepressant medication.

Of course, FBI whistle-blower Frederick Whitehurst was complaining internally during this period that the FBI Lab was playing fast and loose with the truth in its analysis reports, claims that have since become public and, based on Whitehurst's recent sizable cash settlement with the FBI and still-outstanding legal actions, appear to have been

well-founded.

Moldea considers the prior conflicting Virginia lab report "curious," but insignificant, even though the original lab report that found no anti-depressant drugs, and in the context of the universal denials the night of the death that Foster was depressed or taking antidepressant medication (Moldea does not mention the other data provided above).

Perhaps the most succinct example of the stark timing of the change in the official line from "no depression" to "depression" was provided by Beryl Anthony, Foster's brother-in-law (married to Foster's sister, Sheila, then an Assistant Attorney General).

Moldea quotes from a Beryl Anthony interview on Thursday, July 22. Asked if Foster had been depressed during the two weeks prior to his death, Anthony's said: "There is not a damn thing to it. That's a bunch of crap."

However, on July 27 (the torn note was turned over to the Park Police the night of the 27th, though it had been found some 30 hours earlier) when Anthony was interviewed by the Park Police he, like Lisa Foster, did a "180." Per the interview report: "Mr. Anthony stated that he and his wife had noticed a gradual decline in Mr. Foster's general disposition to the point of depression. . . 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 Foster's well-being. [So much so that] his wife had given Mr. Foster a list of three counselors, psychiatrists or other doctors who do counseling."

Moldea does not mention that Foster's weight gain in the six months reported in Foster's medical records was corroborated by his widow. Indeed, according to Moldea, "She also says he was losing [emphasis added] weight" in her interview with Fiske's investigators. However, according to the widow's FBI interview (the typed FD-302 and the handwritten interview notes are consistent on this point): "She believed that most of the weight which Foster had lost by that time ["when Lisa Foster. . . arrived in Washington, D.C."] had been lost prior to his arrival in Washington, D.C."

Lisa Foster arrived in Washington on June 5, 1993, having stayed in Little Rock so her youngest son could finish his junior year of high school there. Her husband arrived in Washington in January 1993, so the widow is saying that Foster did lose weight, but that the weight loss took place prior to January 1993 when he joined the administration.

Foster's medical records indicate he weighed 207 pounds in August of 1990. On December 31, 1992, at a physical the month before he went to Washington, he weighed 194 pounds (a thirteen-pound drop) and, according to his doctor's notes, was on a diet and exercising. Foster's weight at the autopsy was 197 pounds. A weight gain of about three pounds (194 to 197) in seven months is not particularly significant. However, it certainly is not "a weight loss obvious to many" (Fiske) nor is it the 12-15 pound weight loss claimed in the media beginning a few days after his death.

In all likelihood the weight gain was significantly more than three pounds because Foster probably did not strip naked for the doctor's nurse when he was weighed - on December 31, 1992, or at any other appointment. If he was not nude for his weigh-in, his "stripped" weight would have been a pound or two less than 194.

Furthermore, the 197 pound weight at the autopsy was a stripped weight, a stripped weight that obviously did not include the large amount of blood (two or three pints?) Foster officially lost both at the park (Fiske: "Those present observed a large pool of blood. . .") and later in the body bag (Starr: ". . . found a large amount of blood in the body bag"). Taking these adjustments into account, the "weight loss obvious to many" claimed in the Fiske report is hard to fathom since the data support a 1993 weight gain of about 6 pounds, if not more, between December 31, 1992, and July 20, 1993.

Moldea believes that Foster gained weight in the early months of 1993 because he was "eating more junk food," but that Foster started losing weight "as his depression set in during

the latter weeks of his life." Anyone espousing the idea that Foster's loss of appetite as he became more depressed made him lose weight near the end of his life must contend with the robust à la carte lunch the official record states that Foster personally selected and had a secretary deliver to his office before leaving the White House for the last time at about 1:10 PM, officially bent on killing himself: A medium-rare cheeseburger, fries, a coke, and some M&Ms.

According to interviews with the office staff, he ate it all, as he read the newspaper in his office, except the raw onion, which he decided to remove from his burger (had he forgotten to tell the secretary "Hold the onions"?), and a few M&Ms. As he left the White House for the last time, officially en route to his own suicide (having first checked out a White House Communications Agency pager), he said, "I'll be back, there are M&M's left in my office."

What did the three secretaries in the White House Office of Legal Counsel told the Park Police two days after the death about Foster's mental state? "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 loss [#1]." "Mr. Foster's demeanor seemed normal to her. . . [#2]" "She stated that she did not note any unusual behavior by Mr. Foster on [the day he died] [#3, Foster's own secretary]."

This examination of the "depression discrepancy" is fairly detailed but far from comprehensive. There are dozens of other material discrepancies, each with their own supporting details. A partial list:

- \* Starr's forensic expert reports he found blood stains up to 1 millimeter in size on each side of each lens of Foster's glasses (in an attempt to prove the glasses, found 19 feet up-range from his head, were on Foster's face when shot), but both the Park Police and the FBI Lab reports explicitly state that there was no blood on the glasses.

- \* An agent's memo to the head of the Technical Security Division of the Secret Service describes the FBI as having removed evidence from Foster's desk (officially, of course, that did not happen) and refers to the discovery of a letter or other writing written by Foster (apparently the night of the death) that was not the "torn note" found six days later.

- \* Starr's forensic expert reports his examination of Foster's shirt and slacks showed no sign the body had been dragged (an attempt to refute arguments that the body was moved to or within the park), but the lead investigator at the body site, the Medical Examiner, and the investigator charged with taking notes all report that the body slid down the berm and that they then dragged the body up the slope (a serious effort obviously required given the approximately 40 degree slope), stopping only when he body was higher up the slope than it was originally.

- \* Starr's forensic expert reports possible down-range blood spatter and splatter on the vegetation in the Polaroid photos taken of the body, but no one at the site states they saw any; several observers affirmatively state there was none present (including the lead investigator and the Medical Examiner; its absence is a classic indicator that a gunshot victim with a through-and-through wound died elsewhere).

[To his credit, Moldea does state in his book that one of the investigators on-site, an experienced gardener, told him that she, like the other investigators, was looking for signs of blood spatter and that the stains that Lee reported seeing in the Polaroids was in fact a form of leaf blight, not blood.]

- \* The bizarre harassment of Patrick Knowlton by some two dozen individuals, a federal grand jury witness who saw items and events inconsistent with the conclusions of the official reports in Fort Marcy Park about an hour before Foster" body was found and who refused to change his story under repeated FBI questioning (Knowlton convinced the judges supervising Starr to make his 20-page rebuttal of Starr's Foster investigation a part of the Starr Report).

\* The Medical Examiner's field report was altered on page one to change the description of the exit wound; whoever made the alteration failed to alter the same language on page two, leaving the description on page two inconsistent with suicide by gunshot (A telex to the acting FBI Director from the Washington Metropolitan Field Office of the FBI sent about a day and a half after the autopsy but not liberated until March 1998 via a FOIA lawsuit by Accuracy In Media, confirms prior phone calls to the Director's office that there was no exit wound, a finding that directly contradicts the exit wound - a 1" by 1.25" chunk of skull was said to have been blown out - in the upper rear of the head depicted in a diagram in the autopsy report not filed with the Northern Virginia Medical Examiner until six days after the telex to the FBI Director).

\* Numerous instances of systematic alterations in witness accounts: information in many handwritten witness interview reports was changed in the typed interview reports in a systematic way in order to support the official conclusions (other witness accounts were simply suppressed in the top-level reports).

\* In many cases, the top-level reports systematically alter the times reported in the underlying investigative record, apparently in an attempt to document the officially alleged delay in notifying the White House of Foster's death.

\* Much of the information used in the top-level reports to prove that the gun belonged to the family is contradicted by the underlying record.

I differ with Dan Moldea: I believe any fair-minded individual familiar with the investigative record of the Foster death will conclude, at a minimum, that a sizable and ongoing cover-up of material aspects of this death exists.

## AUGUST 2001

[ANDY THIBAUT CONNECTICUT](#) Law Tribune: On page 485 of his report to Independent Counsel Kenneth Starr, Dr. Henry Lee details why he cannot offer a complete reconstruction of the death of former White House Counsel Vince Foster . . . The report, filed under seal with the U.S. Court of Appeals in Washington four years ago, was released this year under the Freedom of Information Act and I obtained a copy earlier this month. Lee, Connecticut's former Commissioner of Public Safety, wrote it was impossible to completely reconstruct Foster's July 1993 death because of:

- The lack of complete documentation of the original shooting scene, such as higher quality scene photographs; a videotape of the scene; a detailed description of the scene; diagrams of the location of each item of physical evidence and their condition.
- The lack of subsequent records and photographs of each item of physical evidence prior to examination and illustrations of the original patterns and condition of each item of physical evidence;
- The lack of X-rays of Mr. Foster's body taken at autopsy

Given the paucity of evidence and the failure to seriously investigate the homicide or the moving of Foster's body, perhaps the most startling element of Lee's report is his conclusion: "The death of Vincent Foster was consistent with a suicide. The scene at Fort Marcy Park where Mr. Vincent W. Foster, Jr. was found is consistent with the primary incident scene."