

Authorities arrive at the scene

The FBI's Report of its interview with Swann is four pages long. The entire last page, a fourth of it, is redacted. The FBI's handwritten notes of its interview with Swann have not been released. The first of Dale's FBI interview Report is eight pages long. Almost two pages are entirely redacted.

II. AUTHORITIES ARRIVE AT THE SCENE

County and federal authorities responded to the scene. The Park Police are federal employees of the US Department of the Interior. The Firefighters and the medical examiner, Dr. Haut, are all employed by Fairfax County, Virginia. Almost all the Firefighters are Emergency Medical Technicians, or EMTs, and have medical training. The two Firefighters with the most medical training are referred to as paramedics.

Also in the park when authorities arrived were two civilians, a man and a woman. Although their identities do appear in the public record, they are referred to as Male Civilian and Female Civilian out of deference to their privacy.

The following is a list of those people who are known to have been present in Fort Marcy Park on July 20, after the official discovery of the body.

Park Police

Officer Kevin Fornshill
Inv. Christine Hodakievic
Officer Franz Ferstl
Sergeant Robert Edwards
Lieutenant Patrick Gavin
Investigator John Rolla
Investigator Cheryl Braun
Investigator Renee Abt
Officer William Watson
Intern with Officer Watson
Evidence Technician Peter
Simonello
Officer Julie Spetz
Lieutenant Ronald Schmidt

Fairfax County

Firefighter Todd Hall
Firefighter Ralph Pisani
Paramedic George Gonzalez
Firefighter Lt. James Iacone
Paramedic Richard Arthur
Firefighter Jennifer Wacha
Dr. Donald Haut
Firefighter Corey Ashford
Firefighter Roger Harrison
Firefighter Lt. Wm. Bianchi
Firefighter Andrew Makuch
Firefighter Victoria Jacobs

Civilians

Dale
Male Civilian

Authorities arrive at the scene

Female Civilian
Tow Truck driver (to tow a Mercedes)
Dr. Haut's female driver
Tow Truck driver (to tow the Arkansas Honda)

Twenty-one people, 20 officials plus Dale, viewed the body. (The OIC claims that 19 witnesses saw the body¹³⁷ -- omitting Officer William Watson and the unidentified intern who accompanied Watson.)

The time that the first Police Officer officially arrived, simultaneously with Firefighters, is 6:09:58.

But there is evidence that Officer Kevin Fornshill, in an unmarked car or scooter, and Investigator Christine Hodakievic, were already in the park when Firefighters arrived.¹³⁸ Investigator John Rolla testified that police arrived before 6:00 p.m.¹³⁹ Fornshill appears to have met the Fire and Rescue workers in the park proper, not in the

¹³⁷ OIC, p. 20: Thirty-one witnesses, 19 of whom observed Mr. Foster's body, have provided relevant testimony about their activities and observations in and around the Fort Marcy Park area on July 20, 1993. They include:

6 private citizens (one of whom discovered and observed Mr. Foster's body);
13 Park Police personnel (9 of whom observed Mr. Foster's body);
11 Fairfax County Fire and Rescue Department (FCFRD) personnel (8 of whom observed the body); and
Dr. Haut, the doctor representing the Medical Examiner's Office who responded to the scene and examined the body.

¹³⁸ Exhibit 66, Report of FBI interview of Firefighter Todd Hall, March 18, 1994: "Upon arriving at the park, Hall noted that officers of the U.S. Park Police (USPP) were already on site."

¹³⁹ Exhibit 6, Deposition of Park Police Investigator John Rolla, July 21, 1994: I have no idea why he [Dr. Haut] would -- unless he just meant the time he was pronounced. Perhaps that's what he meant, I am pronouncing him. He said, make that the time of death. I knew that wasn't the time of death, officers were there before 1800 hours. So if he decide [sic] at 1800 hours, somebody is in trouble.

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parking lot, as reported.¹⁴⁰ (There is no record of any witnesses having seen Hodakievic arrive in the lot in her civilian car, nor of her car being identified among the vehicles there.¹⁴¹) Firefighter James Iacone heard that a

¹⁴⁰ Exhibit 67, Deposition of Firefighter Todd Hall, July 20, 1994: Q. What did you see as soon as you got there? A. Nothing but a park. Q. Any cars there, any people there? A. Yes. There were some cars parked there. I don't recall seeing any people, no. I don't recall seeing any people. Q. What did you do after you got to the park? A. We had a call that came in, suicide in front of a cannon, so we searched the grounds for a body in front of a cannon. I think we were met there by the Park Police. Q. You said it was a call for a suicide? A. Yes, possible. No, well, somebody lying in front of a cannon, possible DOA. I forgot what the initial call was... Q. After you got there, what did you do? A. We searched the grounds, we split up. Some of us went this way, some that way, looking because I was worried. There was only four cannons there so we split up. Me and one of the Park Police, we was together, and I think he pretty much knew the vicinity of the cannons.

¹⁴¹ Exhibit 76, Park Police Report, by Investigator Christine Hodakievic, July 21, 1993. Exhibit 118, Handwritten notes of Park Police Investigator Renee Abt, July 20, 1993.

Exhibit 70, Report of FBI interview of Park Police Officer Julie Spetz, May 2, 1994: As she drove into the park entrance, she noted a disabled vehicle off to the right on the ramp leading into the parking lot. Driving into the Fort Marcy parking lot itself, she observed two cars; one to her left toward the front of the lot which she later learned was Foster's vehicle. Officer Spetz cannot recall the color or make of the vehicle but does remember it had Arkansas tags on it. Officer Spetz stated that a second car, white in color, was in the rear of the parking lot, but she is unable to recall any other identifying data regarding this car. She stated that emergency vehicles (ambulance and fire truck) were also in the parking lot.

Exhibit 75, Park Police Report of Park Police Investigator Cheryl Braun, July 21, 1993: "[Male Civilian and [Female Civilian] were driving a white Nissan with Maryland registration." Exhibit 76, Park Police Report, by Investigator Christine Hodakievic, July 21, 1993: "I observed a blue Mercedes 4 door displaying Va. Tags... the vehicle was unoccupied and returned registered to Jeanne Slade."

Authorities arrive at the scene

civilian directed rescue workers to the body site.¹⁴² Hodakievic was off duty¹⁴³ and dressed in civilian clothes.¹⁴⁴ Hodakievic had viewed the body by the time Lieutenant Gavin arrived at about 6:24 p.m.¹⁴⁵

Because we have been unable to conclusively determine when Fornshill and Hodakievic arrived in the park, the official version of their arrivals is used in the timetable below.

Proof of who was with the body, and when, is an important aspect of the case. The body site is in a secluded area of the park and cannot be seen from the direction of the parking lot. When the timetable is compared to witness accounts of the state of the body, it

¹⁴² Exhibit 77, Handwritten notes of FBI interview of Firefighter James Iacone, March 11, 1994: "Directed by citizen" Exhibit 78, Report of FBI interview of Firefighter James Iacone, March 11, 1994: "Iacone now believes that the crew of Medic 1 was directed by a citizen to a body, later identified as that of Foster, but he knows no details regarding this citizen such as whether the person was a male or female."

¹⁴³ Exhibit 81, Report of FBI interview of Investigator Christine Hodakievic, May 2, 1994: "Officer Hodakievic advised that shortly after 6:00 p.m. on July 20, 1993, while in an off-duty status and while traveling North on the George Washington Memorial Parkway in her personal vehicle, heard on her police radio that a dead body had been located at Fort Marcy Park."

¹⁴⁴ Exhibit 79, Deposition of Park Police Officer Kevin Fornshill, July 12, 1994: A. I went back to the parking lot. There was a lot of confusion with other cars coming in. My car, Officer Ferstl's car, the sergeant's car, and about that time the investigators would be rolling in. I believe Officer Hodakievic, who at the time was a plainclothes investigator. Q. And he's an investigator? A. She, Christine, she was an investigator at the time. She's back in uniform now. She's at the same station you can reach me at.

Exhibit 80, Handwritten notes of FBI interview of Lieutenant Patrick Gavin, April 28, 1994: "Christine Hodakievic - investigator off duty - P/C [plainclothes]"

¹⁴⁵ Exhibit 80, Handwritten notes of FBI interview of Lieutenant Patrick Gavin, April 28, 1994: "Inv. Christine Hodakievic met him in Pk [parking] lot, took up to scene, she'd been there."

Authorities arrive at the scene

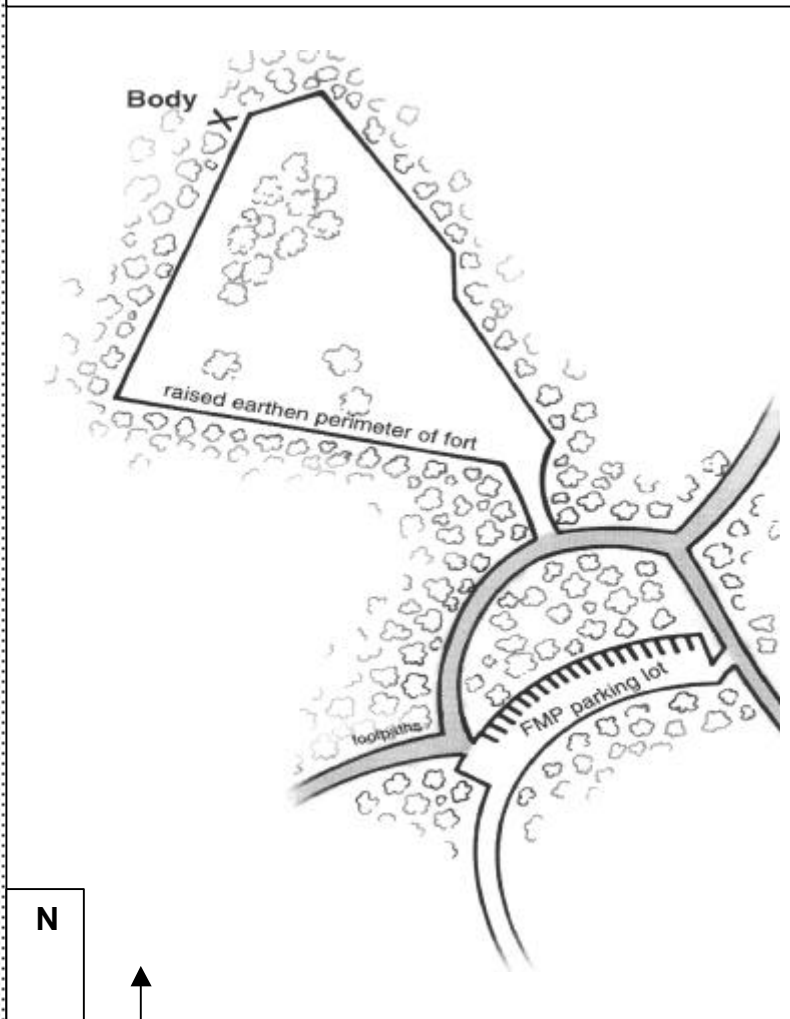
proves that the body was tampered with, and by whom. These issues are analyzed later in this paper. In the balance of this paper, in discussing those issues which relate to the state of the body at the park, the witness accounts are presented in the following order:

Civilian Dale
Officer Kevin Fornshill
Firefighter Todd Hall
Paramedic George Gonzalez
Paramedic Richard Arthur
Firefighter Ralph Pisani
Firefighter Lt. James Iacone
Firefighter Jennifer Wacha
Officer Franz Ferstl
Investigator Christine Hodakievic
Lieutenant Patrick Gavin
Investigator John Rolla
Investigator Cheryl Braun
Investigator Renee Abt
Evidence Technician Peter Simonello
Dr. Donald Haut
Firefighter Corey Ashford
Firefighter Roger Harrison

There will be no review of the records of the accounts of Sergeant Robert Edwards, Officer William Watson, or the unidentified Intern with him, because there are no public reports of interviews with them.

The times used below are estimated, except where obtained from radio dispatches and electronic logs. The time to walk from the parking lot to the body site is approximately 1 minute, 50 seconds.

Approximately 700 feet from the parking lot to the body site, about a two-minute walk at a brisk pace.



The first fire & rescue workers arrived at Fort Marcy Park in a fire truck. They were Firefighter Ralph Pisani, Firefighter Lieutenant James Iacone and Firefighter Jennifer Wacha. They saw only civilian cars, no people, and no police vehicles.

Parking lot
Firefighter Jennifer Wacha
Firefighter Lt. James Iacone
Firefighter Ralph Pisani

A civilian couple arrived at the park about 45 minutes before the discovery of the body. They sat in their car a while and walked into the southern end of the park.

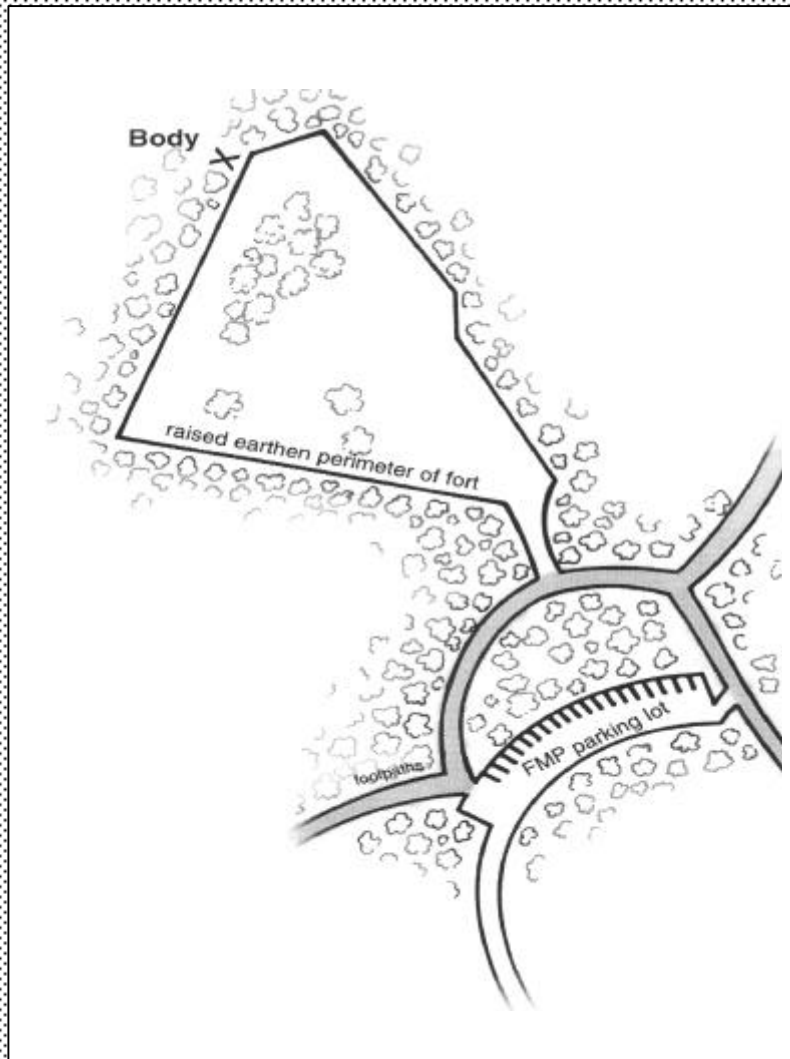
South of the lot
Female Civilian
Male Civilian

Body site

FORT MARCY PARK

6:10:16-6:11

See endnote 2.



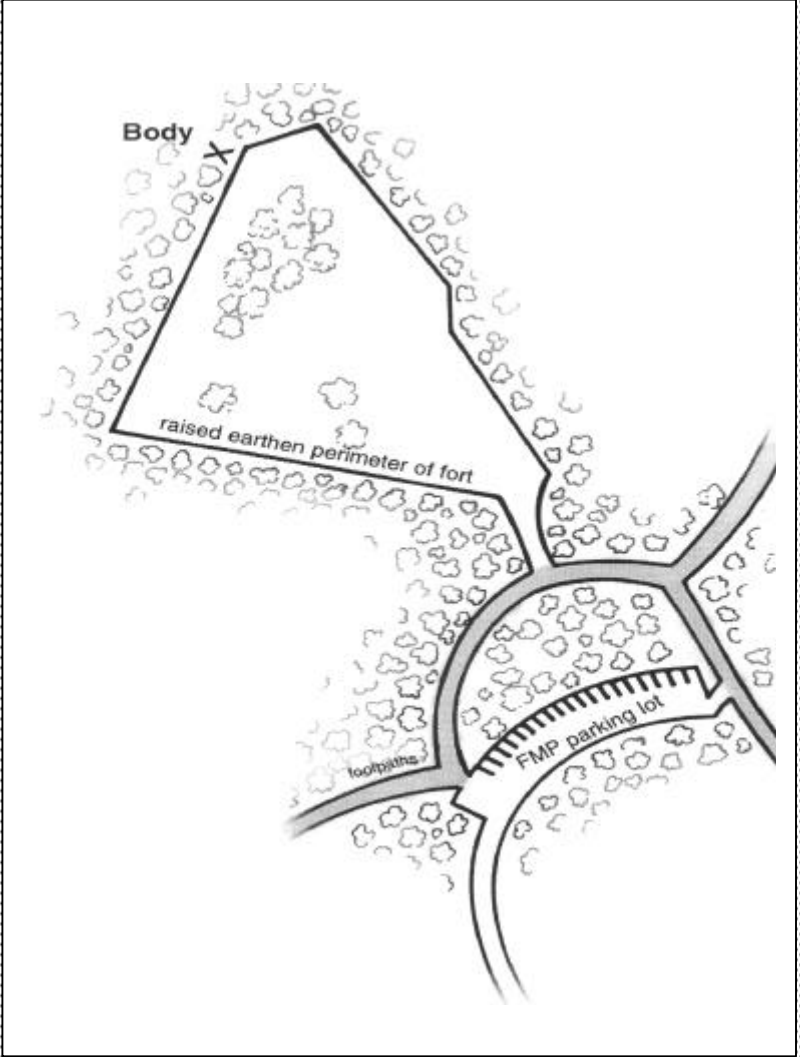
The second group of fire & rescue workers, paramedics Richard Arthur and George Gonzalez and firefighter Todd Hall arrived in an ambulance, joining firefighters Ralph Pisani, James Iacone and Jennifer Wacha in the lot. When these six rescue workers arrived, they saw at least two cars in the lot in addition to a Honda with Arkansas plates. One car was parked, unoccupied, engine running. One of these cars and its driver was not identified in any police reports. The six fire & rescue workers decided to search for the reported dead body by splitting up into two groups. One group of four searchers decided to go Southeast into the woods toward the couple. The group of two, Hall and Gonzalez, headed the opposite way, toward the fort and body.

Parking lot
Firefighter Todd Hall
Paramedic George Gonzalez
Paramedic Richard Arthur
Firefighter Ralph Pisani
Firefighter Lt. James Iacone
Firefighter Jennifer Wacha

Female Civilian

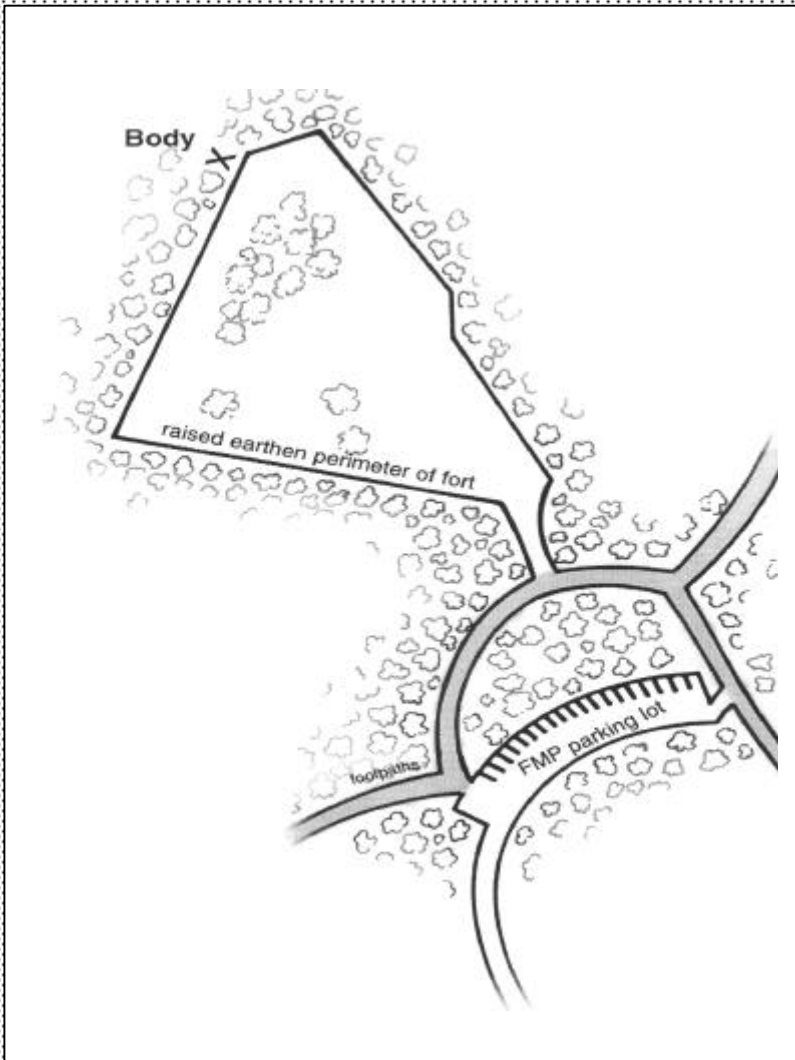
Male Civilian

South of the lot

Body site	FORT MARCY PARK 6:12-6:14 <u>See endnote 3.</u>	
		
Officer Kevin Fornshill		
<p>It is unclear when Park Police Officer Kevin Fornshill arrived at the park, and whether he had ridden a scooter or driven an unmarked car. Hall and Gonzalez headed toward the body and joined Park Police Officer Kevin Fornshill near a cannon.</p>		
Firefighter Todd Hall		
Paramedic George Gonzalez		
<p>Firefighter Todd Hall and Paramedic George Gonzalez headed toward the body. An unknown person, possibly Park Police Investigator Hodakievic (off-duty and dressed in street clothes), directed Hall and Gonzalez.</p>		
	<p style="text-align: center;">Parking lot</p> <p style="text-align: center;">The parking lot was empty.</p>	
	<p style="text-align: center;">Arthur, Pisani, Iacone and Wacha searched in the Southeast end of the park.</p>	
Paramedic Richard Arthur	Firefighter Lt. James Iacone	
Firefighter Ralph Pisani	Firefighter Jennifer Wacha	
Male Civilian	Female Civilian	South of the lot

Body site	FORT MARCY PARK 6: 14:32-6:15 <u>See endnote 4.</u>	
Officer Kevin Fornshill	<p>At Officer Fornshill's direction, Hall and Gonzalez searched another area of the park. Fornshill, searching alone, found Mr. Foster's body. He called Hall and Gonzalez over to the body, who radioed the other team of searchers. Hall immediately noticed a gun in Mr. Foster's hand and told Fornshill. Fornshill radioed to the Park Police who were en route to the park that the death was an "apparent suicide." At the body, Hall "heard someone else in the woods [and] subsequently saw something red moving in the woods."</p>	
Firefighter Todd Hall		
Paramedic George Gonzalez		
<p>During their search of the Southeast area of the woods, the team located the couple. Gonzalez radioed the team of the body's discovery, and the team decided to head back toward the lot.</p>		Parking lot
South of the lot		Paramedic Richard Arthur
		Firefighter Ralph Pisani
		Firefighter Lt. James Iacone
		Firefighter Jennifer Wacha
Male Civilian		
Female Civilian		

Body site	FORT MARCY PARK 6: 16 <u>See endnote 5.</u>
Firefighter Todd Hall	Gonzalez and Hall observed the scene. They saw blood on the right side of Mr. Foster's shirt. Fornshill continued communicating by radio with investigators who were driving to the park.
Paramedic GeorgeGonzalez	
Officer Kevin Fornshill	



Parking lot

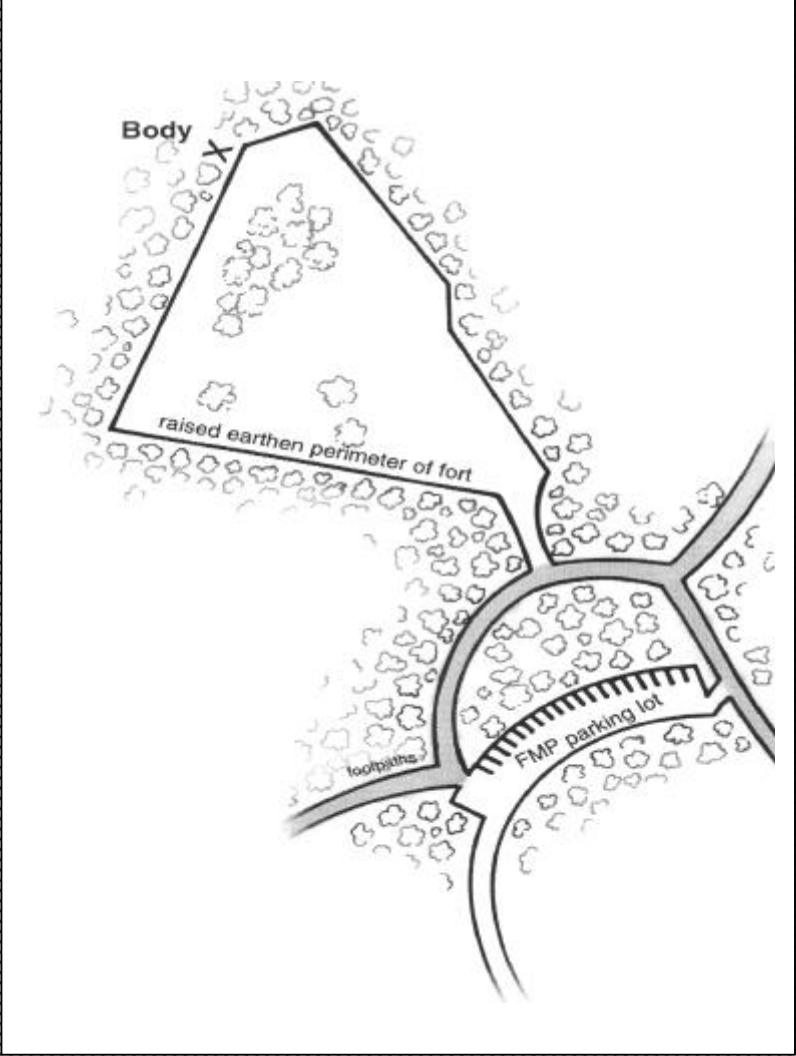
South of the lot

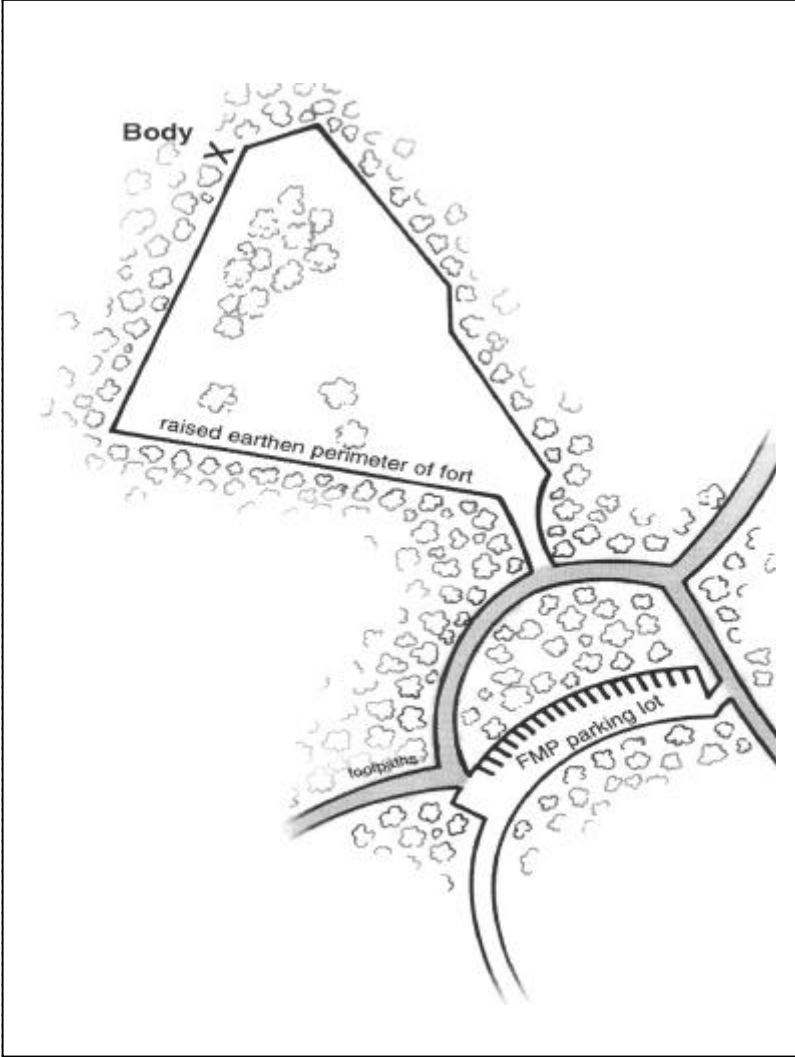
- Paramedic Richard Arthur
- Firefighter Ralph Pisani
- Firefighter Lt. James Iacone
- Firefighter Jennifer Wacha

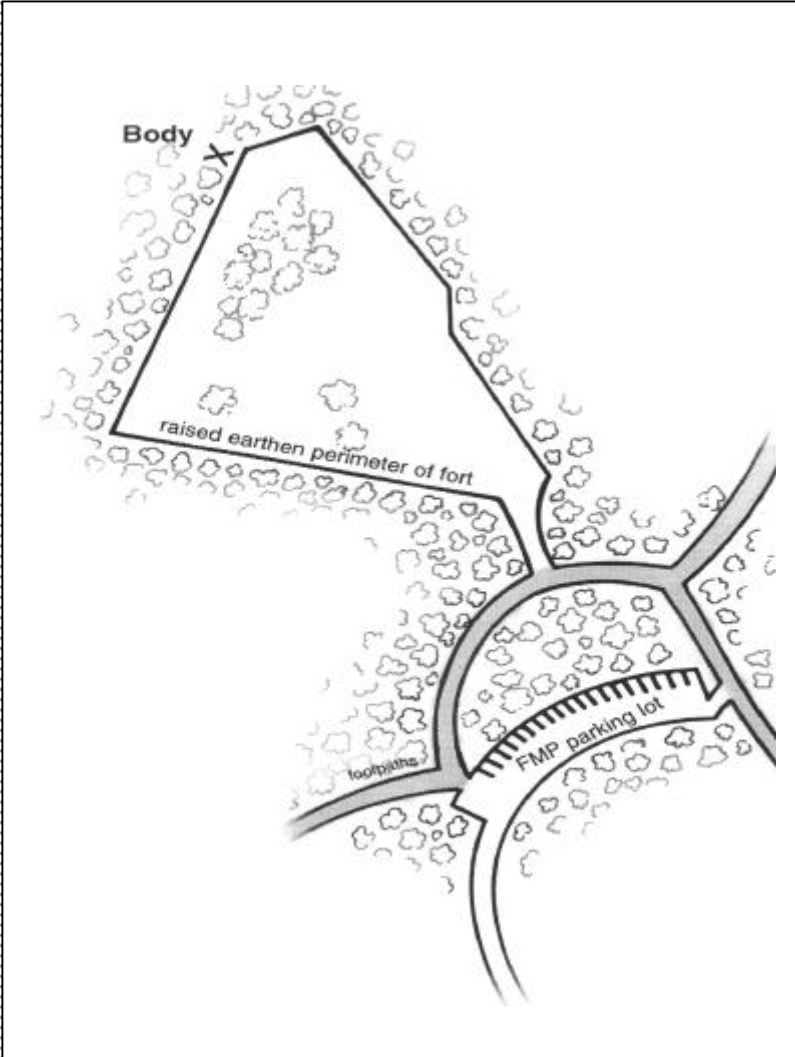
The four firefighters headed back to the parking lot. The couple remained.

- Male Civilian
- Female Civilian

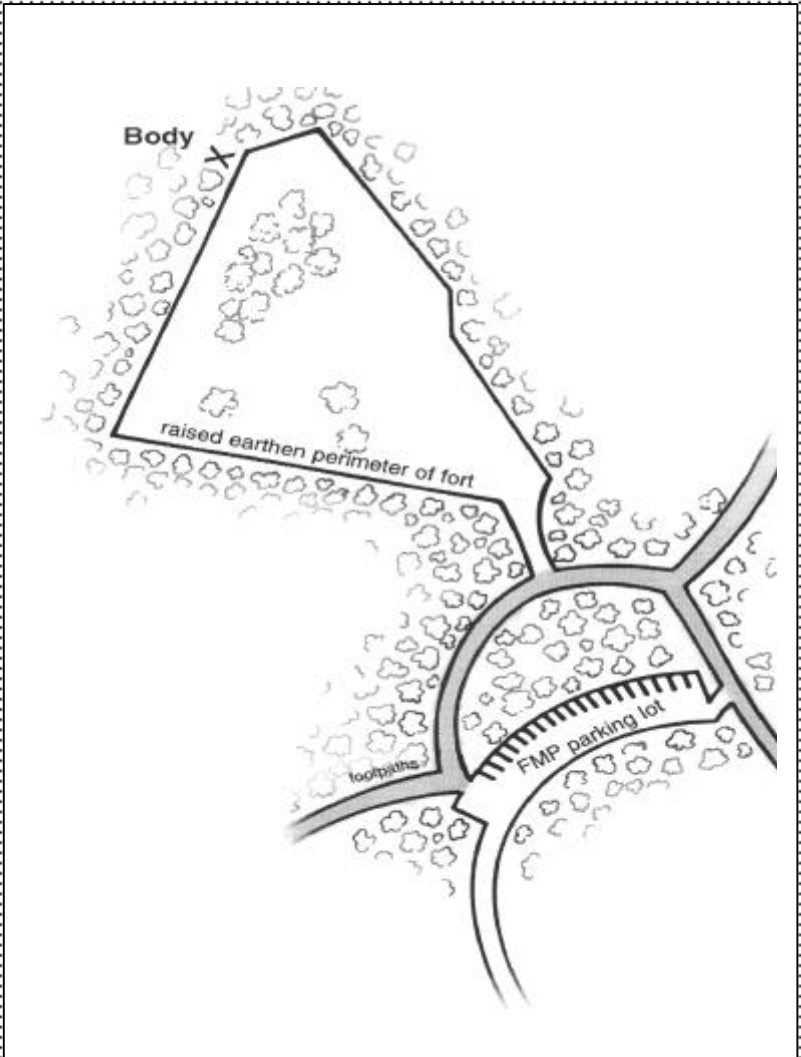
Body site	FORT MARCY PARK 6: 17 <u>See</u> endnote 6.					
Officer Kevin Fornshill	<p>During Paramedic Gonzalez's evaluation, he saw a gun in Mr. Foster's right hand. He concluded that Mr. Foster was obviously dead, had been for "two to four hours," and made no attempt at resuscitation. Because of the straight position of the body and the lack of blood, both Hall and Gonzalez concluded that the death appeared suspicious. Hall reportedly saw a female Park Police officer before leaving the site, possibly Hodakievic.</p>					
Firefighter Todd Hall						
Paramedic GeorgeGonzalez						
Officer Franz Ferstl	<table border="1"> <tr> <td>Parking lot</td> </tr> <tr> <td>Paramedic Richard Arthur</td> </tr> <tr> <td>Firefighter Ralph Pisani</td> </tr> <tr> <td>Firefighter Lt. James Iacone</td> </tr> <tr> <td>Firefighter Jennifer Wacha</td> </tr> </table>	Parking lot	Paramedic Richard Arthur	Firefighter Ralph Pisani	Firefighter Lt. James Iacone	Firefighter Jennifer Wacha
Parking lot						
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Firefighter Ralph Pisani						
Firefighter Lt. James Iacone						
Firefighter Jennifer Wacha						
<p>Officer Franz Ferstl, who had received the first call to respond to the park, reached the parking lot and headed up to the body site.</p>	<table border="1"> <tr> <td>South of the lot</td> </tr> <tr> <td>Male Civilian</td> </tr> <tr> <td>Female Civilian</td> </tr> </table>	South of the lot	Male Civilian	Female Civilian		
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Male Civilian						
Female Civilian						

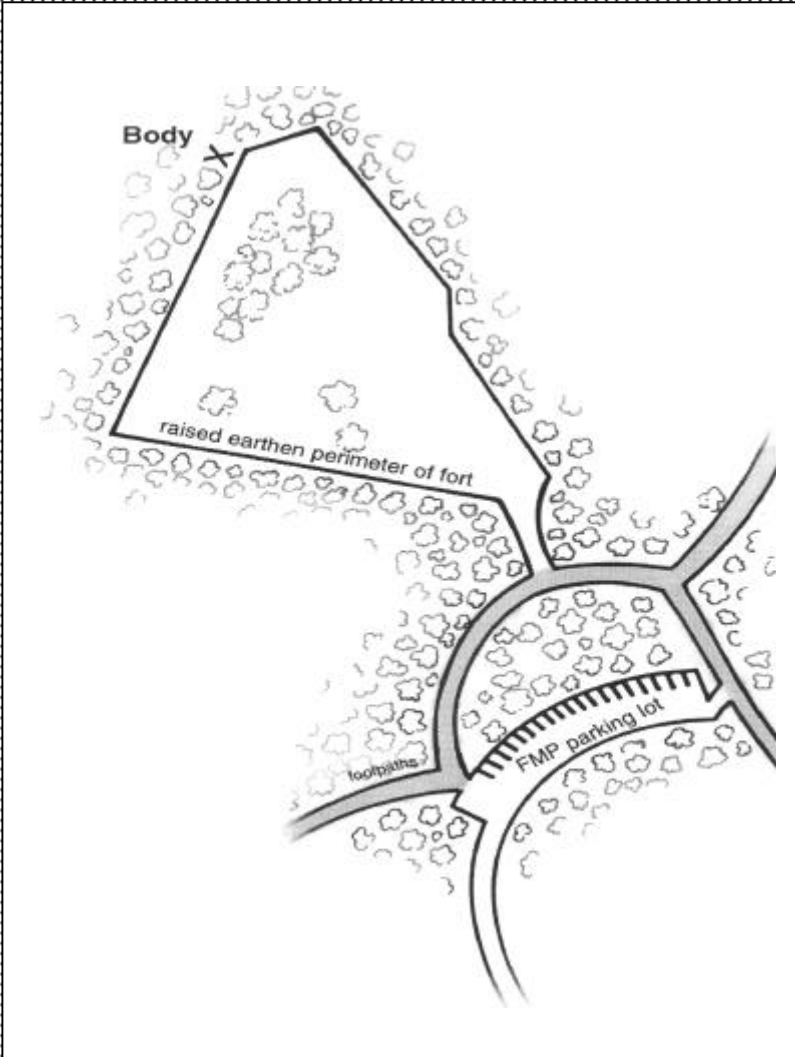
Body site	FORT MARCY PARK 6: 18 See endnote 7.					
Officer Kevin Fornshill	<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 10px auto;"> Hall and Gonzalez decided to return to the parking lot. Officer Ferstl arrived at the body and observed the scene. </div>					
Officer Franz Ferstl						
Firefighter Todd Hall						
Paramedic George Gonzalez						
						
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South of the lot						
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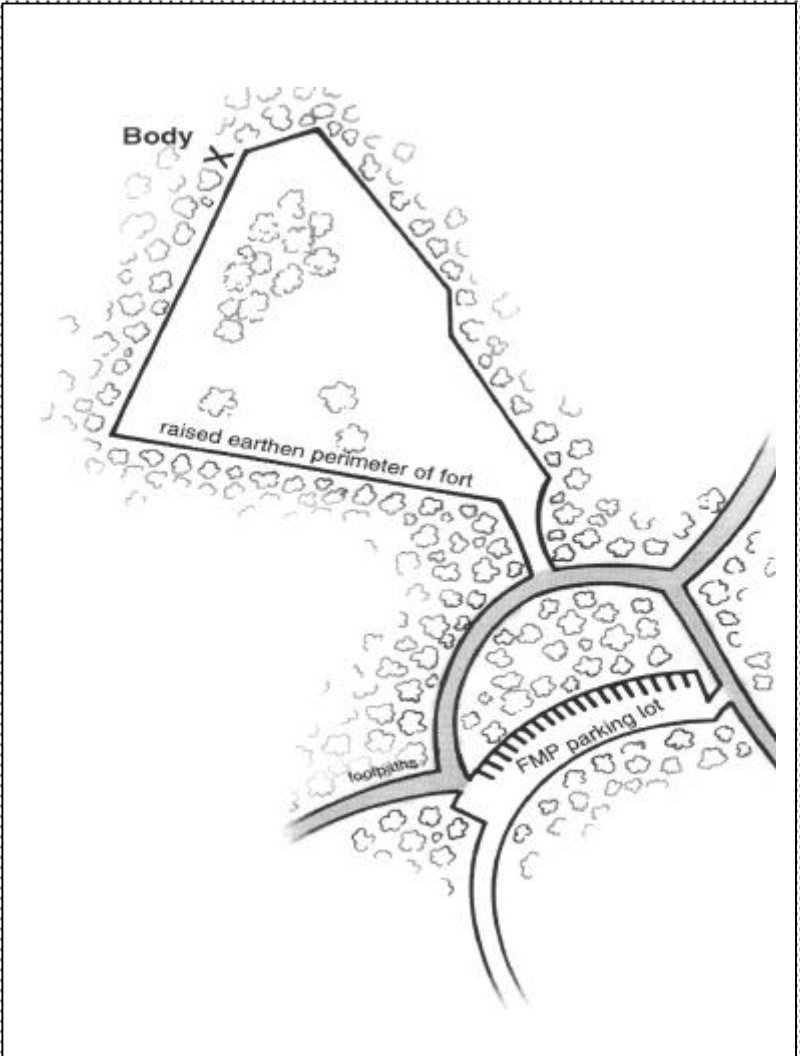


Body site	FORT MARCY PARK 6:19-6:20 <u>See</u> endnote 8.								
Officer Kevin Fornshill	<div data-bbox="571 235 1338 331" style="border: 1px solid black; padding: 5px;"> <p>After briefly observing the scene, Ferstl immediately returned to the lot to retrieve crime-scene tape and a camera.</p> </div>								
Officer Franz Ferstl									
									
<div data-bbox="344 1516 1031 1669" style="border: 1px solid black; padding: 5px;"> <p>While Ferstl was returning to the parking lot, Officer Julie Spetz arrived. Hall and Gonzalez reached the parking lot and rejoined Arthur, Wacha, Pisani, and Iacone. These four were told where to view the body.</p> </div>									
<table border="1" style="width: 100%;"> <tr> <td style="text-align: center;">Parking lot</td> </tr> <tr> <td>Officer Julie Spetz</td> </tr> <tr> <td>Firefighter Todd Hall</td> </tr> <tr> <td>Paramedic George Gonzales</td> </tr> <tr> <td>Paramedic Richard Arthur</td> </tr> <tr> <td>Firefighter Ralph Pisani</td> </tr> <tr> <td>Firefighter Jennifer Wacha</td> </tr> <tr> <td>Firefighter Lt. James Iacone</td> </tr> </table>		Parking lot	Officer Julie Spetz	Firefighter Todd Hall	Paramedic George Gonzales	Paramedic Richard Arthur	Firefighter Ralph Pisani	Firefighter Jennifer Wacha	Firefighter Lt. James Iacone
Parking lot									
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South of the lot									
Female Civilian									
Male Civilian									

Body site	FORT MARCY PARK	6:21	<u>See</u> endnote 9.		
Officer Kevin Fornshill	Officer Fornshill was alone with the body.				
					
Paramedic Richard Arthur					
Firefighter Ralph Pisani					
Firefighter Lt. James Iacone					
Firefighter Jennifer Wacha					
Officer Franz Ferstl	<p>Ferstl entered the parking lot, retrieved his camera and crime scene tape and went back up toward the body, following Arthur, Pisani, Wacha and Iacone. Firefighter Hall and Paramedic Gonzalez saw a briefcase in the "brown" Arkansas Honda.</p>				
Parking lot					
Officer Julie Spetz					
Firefighter Todd Hall					
Paramedic George Gonzales					
South of the lot					
Male Civilian					
Female Civilian					

Body site	FORT MARCY PARK	6:22	<u>See endnote 10.</u>	
Officer Kevin Fornshill				
Paramedic Richard Arthur				
Firefighter Ralph Pisani				
Firefighter Lt. James Iacone				
Firefighter Jennifer Wacha				
Officer Franz Ferstl				
<p>Spetz spoke to both Hall and Gonzalez, one of whom said that the body did not look like a suicide. Spetz then walked Southeast into the woods to find and interview the couple who had been found by the team who searched that area. Around this time, Officer Fornshill's supervisor, Sergeant Bob Edwards arrived -- and radioed, "briefcase recovered."</p>				<p>Parking lot</p> <p>Firefighter Todd Hall</p> <p>Paramedic George Gonzales</p> <p>Sergeant Robert Edwards</p> <p>Officer Julie Spetz</p>
				<p>South of the lot</p> <p>Male Civilian</p> <p>Female Civilian</p>

Body site	FORT MARCY PARK 6:23 See endnote 11.		
Officer Kevin Fornshill	<p>Paramedic Arthur and Firefighters Pisani, Wacha and Iacone joined Fornshill at the body. They saw blood on the right side of Mr. Foster's shirt. Arthur saw a small caliber bullet wound in right side of the neck, just under the jaw line. Being familiar with handguns, Arthur saw a large caliber semi-automatic pistol in Mr. Foster's hand, and concluded that it did not match the smaller caliber bullet hole in the neck. Officer Ferstl arrived.</p>		
Paramedic Richard Arthur			
Firefighter Ralph Pisani			
Firefighter Lt. James Iacone			
Firefighter Jennifer Wacha			
Officer Franz Ferstl			
			
<p>Around this time, Sergeant Bob Edwards headed toward the body site. Investigator Christine Hodakievic also appeared in the lot. Hodakievic interviewed Hall and Gonzalez.</p>			
Sergeant Robert Edwards			Parking lot
Inv. Christine Hodakievic	Firefighter Todd Hall	Paramedic George Gonzales	
<p>Spetz located the couple in the woods and asked them to return to the lot.</p>			
			South of the lot
Officer Julie Spetz	Female Civilian	Male Civilian	

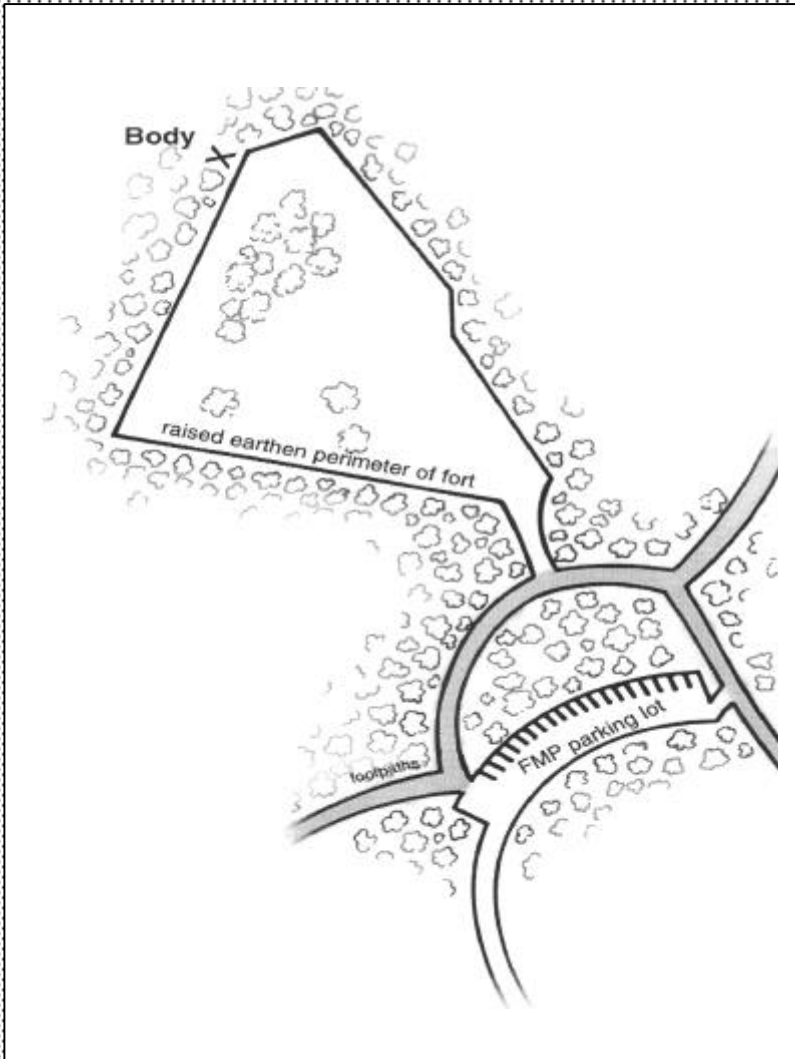
Body site	FORT MARCY PARK 6:24 <u>See endnote 12.</u>	
<p>When Officer Ferstl returned and began to tape off the crime scene, Officer Fornshill left the body site. Fornshill had been at the body site for about 10 minutes. He maintained that he never saw the gun, even after straining to see it. Officer Ferstl finished taping off the body site and began photographing the body. Arthur and his team did not see an exit wound or a bloody mess. Officially, there was a half-dollar size hole out of the top of Mr. Foster's head. The blood these fire & rescue workers saw on the right side of the shirt was dry.</p>		
Officer Franz Ferstl		
Paramedic Richard Arthur		
Firefighter Ralph Pisani		
Firefighter Lt. James Iacone		
Firefighter Jennifer Wacha		
Officer Kevin Fornshill	↓	
Sergeant Robert Edwards	↑	
<p>Lieutenant Patrick Gavin, the highest-ranking Park Police officer at the park, arrived in the lot and was briefed by Hodakievic, who had seen the body.</p>	Lieutenant Patrick Gavin	Parking lot
	Inv. Christine Hodakievic	Firefighter Todd Hall
		Paramedic George Gonzales
Officer Julie Spetz	Male Civilian	South of the lot
		Female Civilian

Body site	FORT MARCY PARK		6:25	See endnote 13.								
Officer Franz Ferstl	<p data-bbox="573 199 1242 336">Officer Ferstl continued photographing the body with the semi-automatic pistol in the hand. He saw a small amount of "not fresh" blood around the mouth. Arthur and his group left the body, returning to the lot.</p> 											
Paramedic Richard Arthur												
Firefighter Ralph Pisani												
Firefighter Lt. James Iacone												
Firefighter Jennifer Wacha												
Officer Kevin Fornshill	 											
Sergeant Robert Edwards												
<p data-bbox="203 1144 519 1291">During their short conversation, Edwards ordered Fornshill to leave the park and return to his his post guarding the CIA.</p>												
<p data-bbox="397 1501 1031 1596">Investigator Hodakievic, Lieutenant Gavin, and Gonzalez and Hall were still in the lot. Officer Spetz and the civilian couple returned to the parking lot.</p>	<table border="1"> <thead> <tr> <th data-bbox="1068 1438 1450 1495">Parking lot</th> </tr> </thead> <tbody> <tr> <td data-bbox="1068 1495 1450 1551">Lieutenant Patrick Gavin</td> </tr> <tr> <td data-bbox="1068 1551 1450 1608">Firefighter Todd Hall</td> </tr> <tr> <td data-bbox="1068 1608 1450 1665">Paramedic George Gonzales</td> </tr> <tr> <td data-bbox="1068 1665 1450 1722">Inv. Christine Hodakievic</td> </tr> <tr> <td data-bbox="1068 1722 1450 1778">Officer Julie Spetz</td> </tr> <tr> <td data-bbox="1068 1778 1450 1835">Male Civilian</td> </tr> <tr> <td data-bbox="1068 1835 1450 1890">Female Civilian</td> </tr> </tbody> </table>				Parking lot	Lieutenant Patrick Gavin	Firefighter Todd Hall	Paramedic George Gonzales	Inv. Christine Hodakievic	Officer Julie Spetz	Male Civilian	Female Civilian
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Lieutenant Patrick Gavin												
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Paramedic George Gonzales												
Inv. Christine Hodakievic												
Officer Julie Spetz												
Male Civilian												
Female Civilian												

Body site	FORT MARCY PARK 6:26	<u>See endnote 14.</u>
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Sergeant Robert Edwards
Officer Franz Ferstl

As Edwards arrived at the body site, Officer Ferstl was photographing the area. Edwards took Ferstl's photographs and ordered Ferstl to return to the parking lot to assist arriving investigators. (The inventory of photographs given to the FBI from the Park Police does not list these Polaroids).



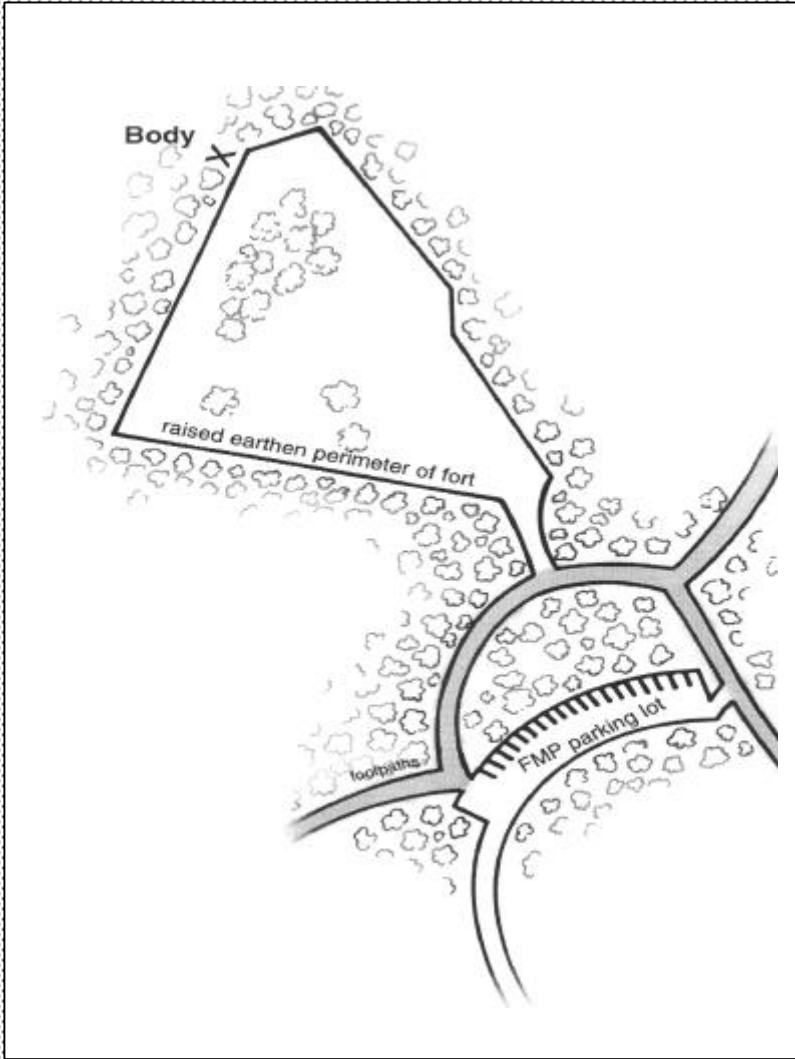
Parking lot	
Officer Kevin Fornshill	Inv. Christine Hodakievic
	Lieutenant Patrick Gavin
	Paramedic GeorgeGonzales
	Firefighter Todd Hall
	Officer Julie Spetz
	Male Civilian
	Female Civilian

Fornshill had appeared briefly in the parking lot, where he saw Hodakievic before leaving the scene.

Spetz and the couple arrived in the lot.

Body site	FORT MARCY PARK	6:27	<u>See</u> endnote 15.
Sergeant Robert Edwards	After Ferstl left, Edwards was alone with the body.		

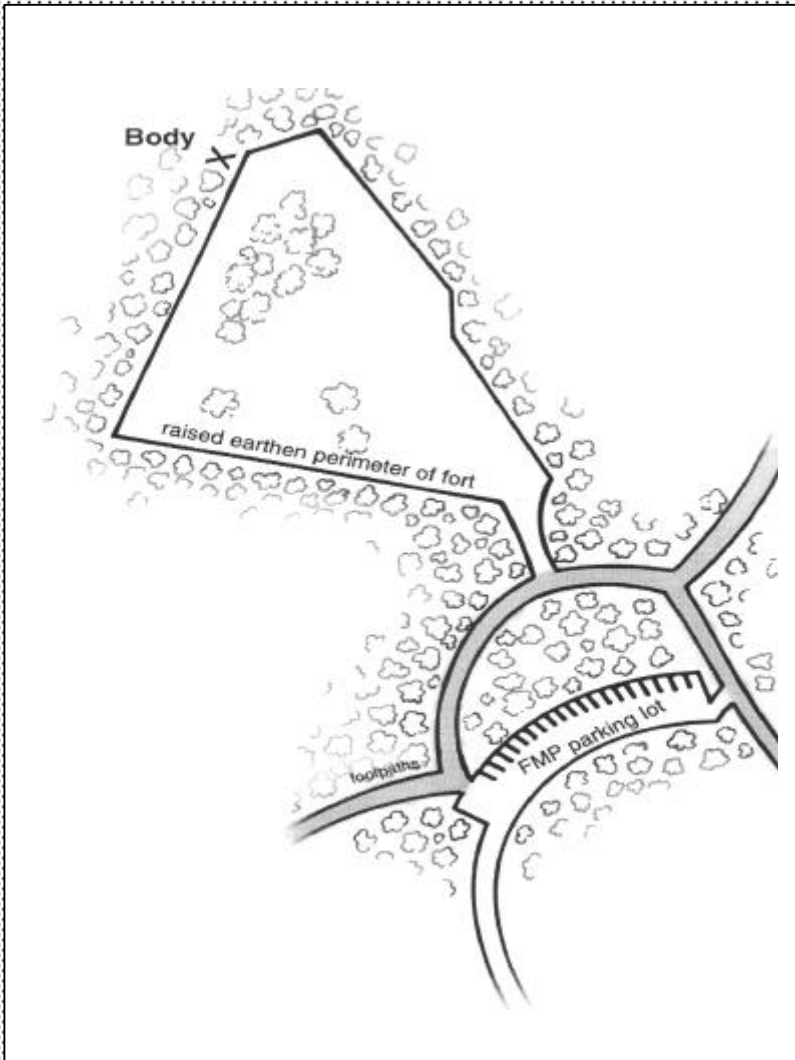
Officer Franz Ferstl



Fornhill left the park just before Investigators John Rolla, Cheryl Braun and Renee Abt arrived in the parking lot. Fornhill did not prepare a report and was not interviewed for a year. The civilian couple reported to the police that they had seen other cars and people in the lot.

Parking lot
Lieutenant Patrick Gavin
Inv. Christine Hodakievic
Officer Julie Spetz
Paramedic Richard Arthur
Firefighter Ralph Pisani
Firefighter Lt. James Iacone
Firefighter Jennifer Wacha
Firefighter Todd Hall
Paramedic George Gonzales
Male Civilian
Female Civilian

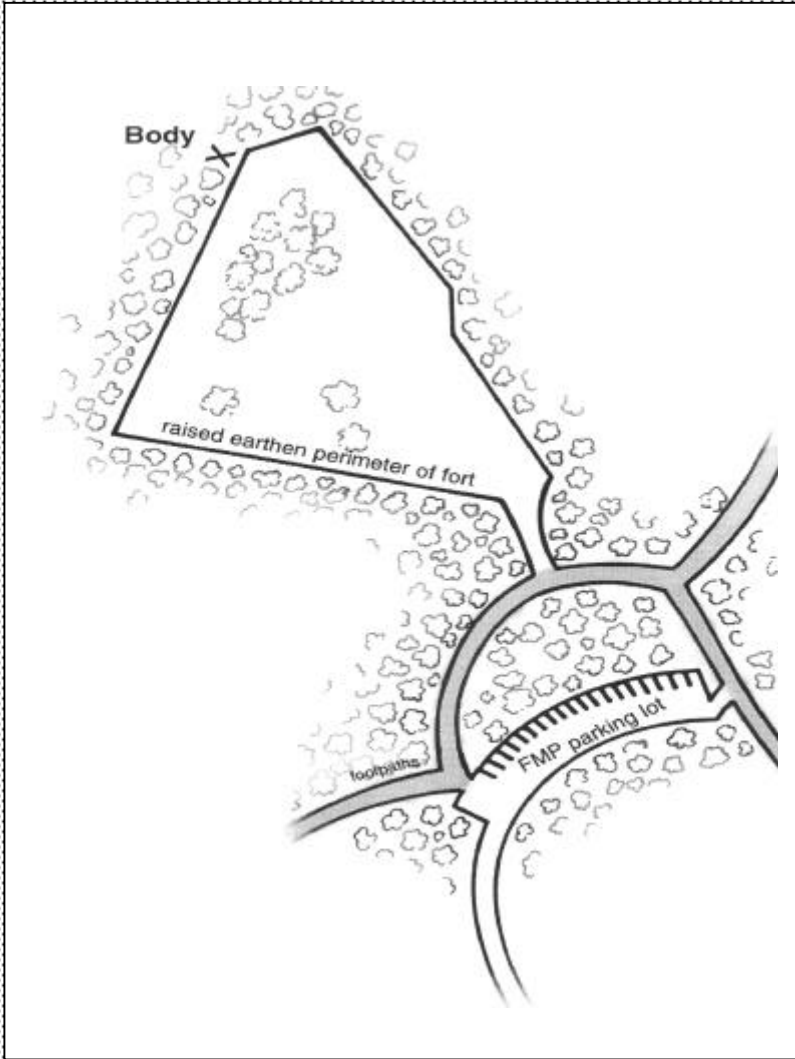
Body site	FORT MARCY PARK	6:28-6:30	<u>See</u> endnote 16.
Sergeant Robert Edwards			



In the lot, Park Police Lieutenant Gavin briefed arriving Park Police Investigators John Rolla, Renee Abt and Cheryl Braun. Gavin directed investigators to search the Honda with Arkansas tags. Investigator Rolla requested that Fornshill return to the scene. Hodakievic (off-duty), interviewed the fire & rescue workers. The fire & rescue workers saw a brown Honda with Arkansas tags. They noted this brown car in their report, but the police did not (Mr. Foster's car was silver).

Parking lot
Lieutenant Patrick Gavin
Officer Julie Spetz
Firefighter Todd Hall
Paramedic GeorgeGonzales
Investigator Cheryl Braun
Paramedic Richard Arthur
Firefighter Ralph Pisani
Firefighter Lt. James Iacone
Firefighter Jennifer Wacha
Investigator John Rolla
Investigator Rene Abt
Inv. Christine Hodakievic
Officer Franz Ferstl
Female Civilian
Male Civilian

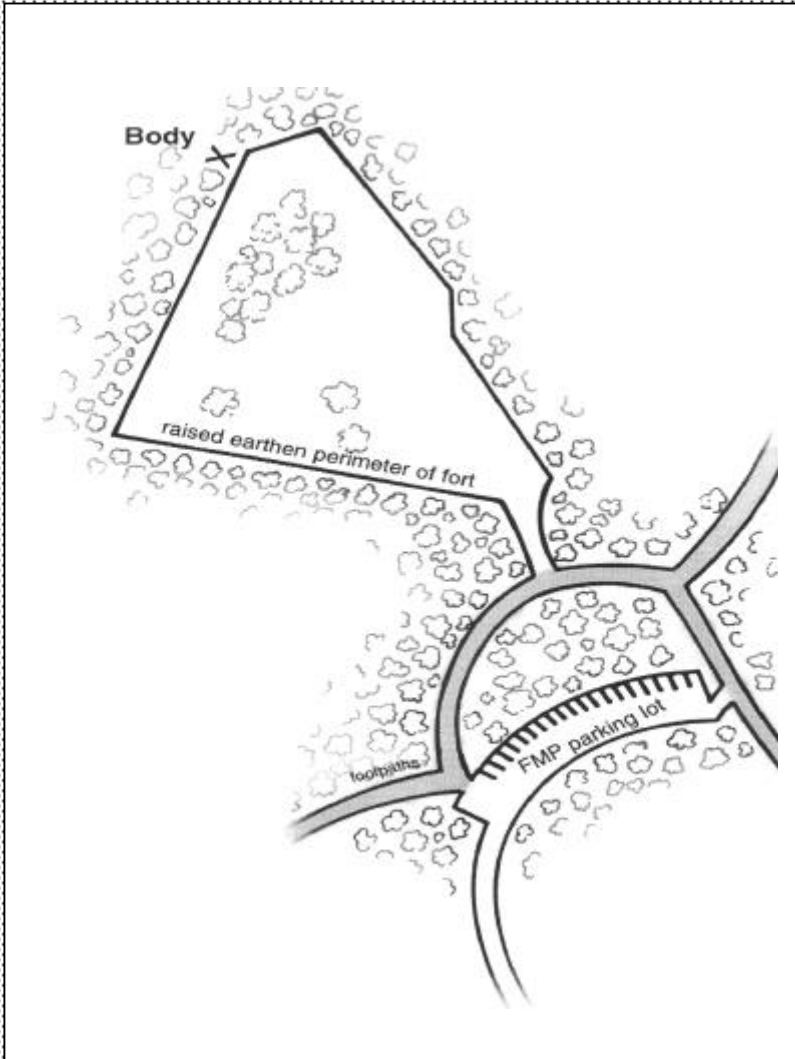
Body site	FORT MARCY PARK	6:31	<u>See</u> endnote 17.
Sergeant Robert Edwards			



Officer William Watson and an unnamed intern arrived in the parking lot. Now, seventeen people were in the lot. Fire & rescue workers and Park Police saw Investigator Cheryl Braun gain entry to the Arkansas Honda.

Parking lot
Lieutenant Patrick Gavin
Investigator Cheryl Braun
Inv. Christine Hodakievic
Investigator John Rolla
Investigator Rene Abt
Officer Julie Spetz
Officer William Watson
Intern with Officer Watson
Paramedic Richard Arthur
Firefighter Ralph Pisani
Firefighter Lt. James Iacone
Firefighter Jennifer Wacha
Officer Franz Ferstl
Firefighter Todd Hall
Paramedic GeorgeGonzales
Male Civilian
Female Civilian

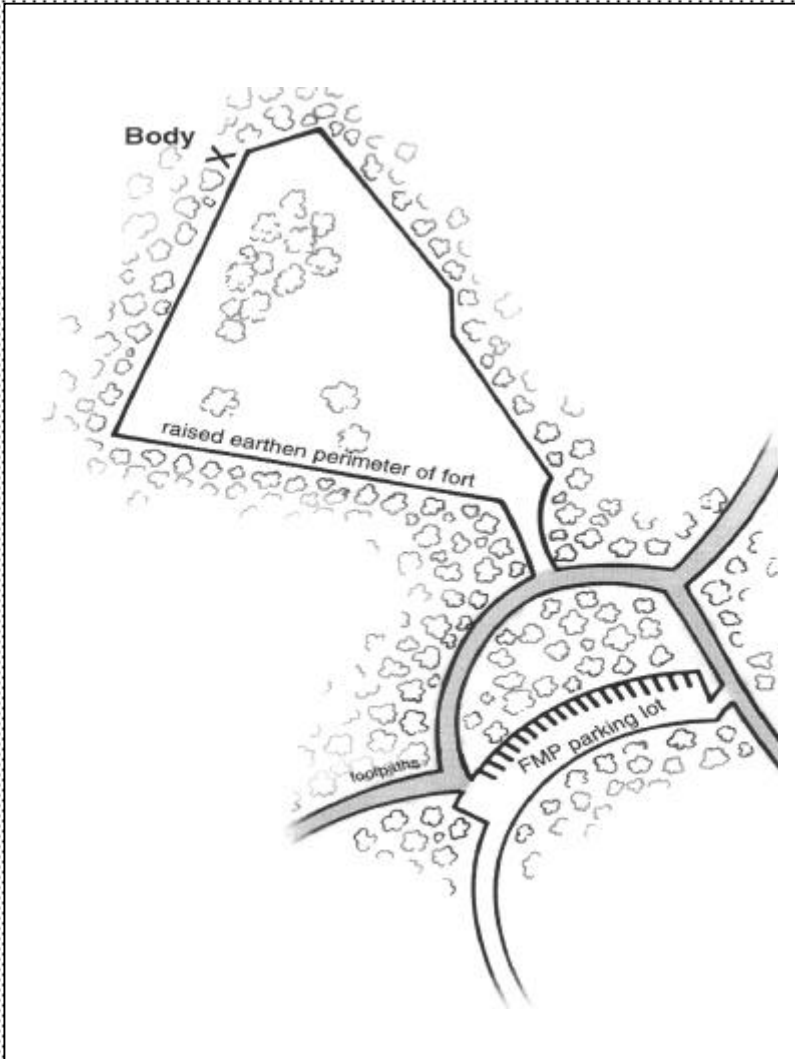
Body site	FORT MARCY PARK	6:32-6:36	<u>See</u> endnote 18.
Sergeant Robert Edwards			



Braun's search of the Arkansas Honda produced Mr. Foster's White House identification. Around this time, a Park Police dispatcher told the police that the Arkansas tag number was registered to Mr. Foster. In his notebook, Rolla wrote the owner information along with a telephone number to a White House Secret Service office. The Firefighters discussed the fact that the victim was employed at the White House and that the death looked suspicious.

Parking lot
Lieutenant Patrick Gavin
Investigator Cheryl Braun
Inv. Christine Hodakievic
Investigator John Rolla
Investigator Rene Abt
Officer Julie Spetz
Officer Franz Ferstl
Officer William Watson
Intern with Officer Watson
Paramedic Richard Arthur
Firefighter Ralph Pisani
Firefighter Lt. James Iacone
Firefighter Jennifer Wacha
Firefighter Todd Hall
Paramedic George Gonzales
Male Civilian
Female Civilian

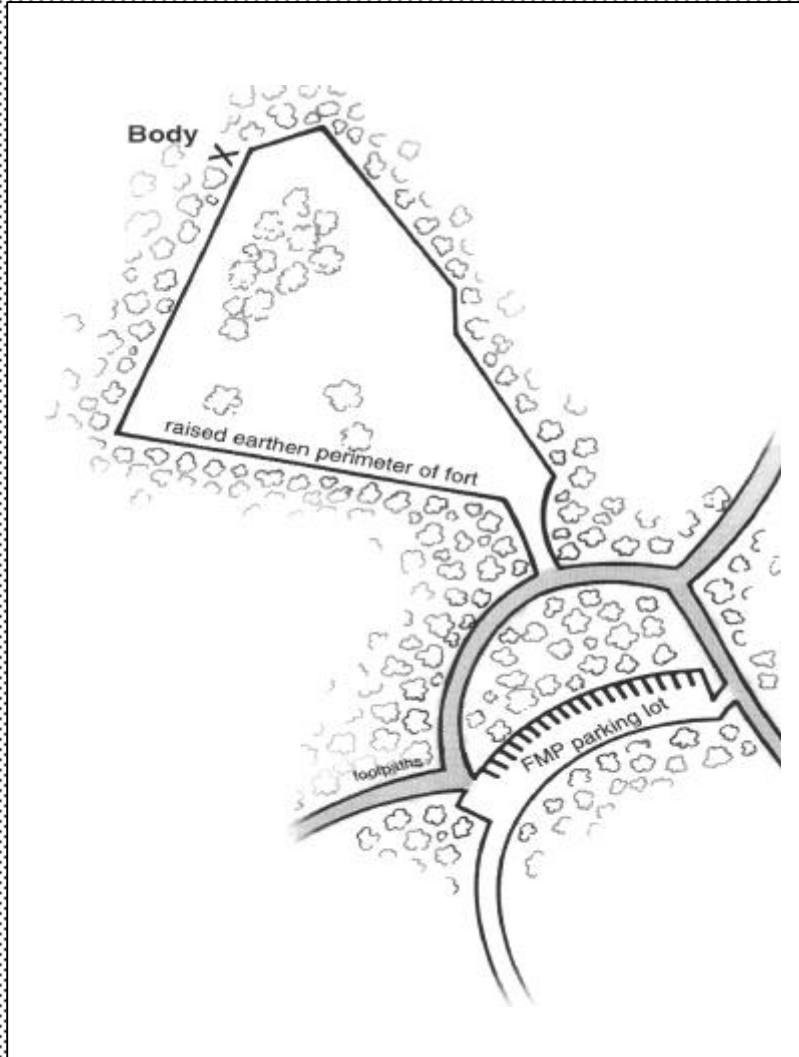
Body site	FORT MARCY PARK 6:37	<u>See endnote 19.</u>
Sergeant Robert Edwards		



When the six Firefighters left the parking lot, they all knew that the victim was employed at the White House. They were not interviewed for a year.

Parking lot
Lieutenant Patrick Gavin
Investigator Cheryl Braun
Inv. Christine Hodakievic
Investigator John Rolla
Investigator Rene Abt
Officer William Watson
Intern with Officer Watson
Officer Franz Ferstl
Officer Julie Spetz
Male Civilian
Female Civilian

Sergeant Robert Edwards



Hodakievic directed Gavin to the body.

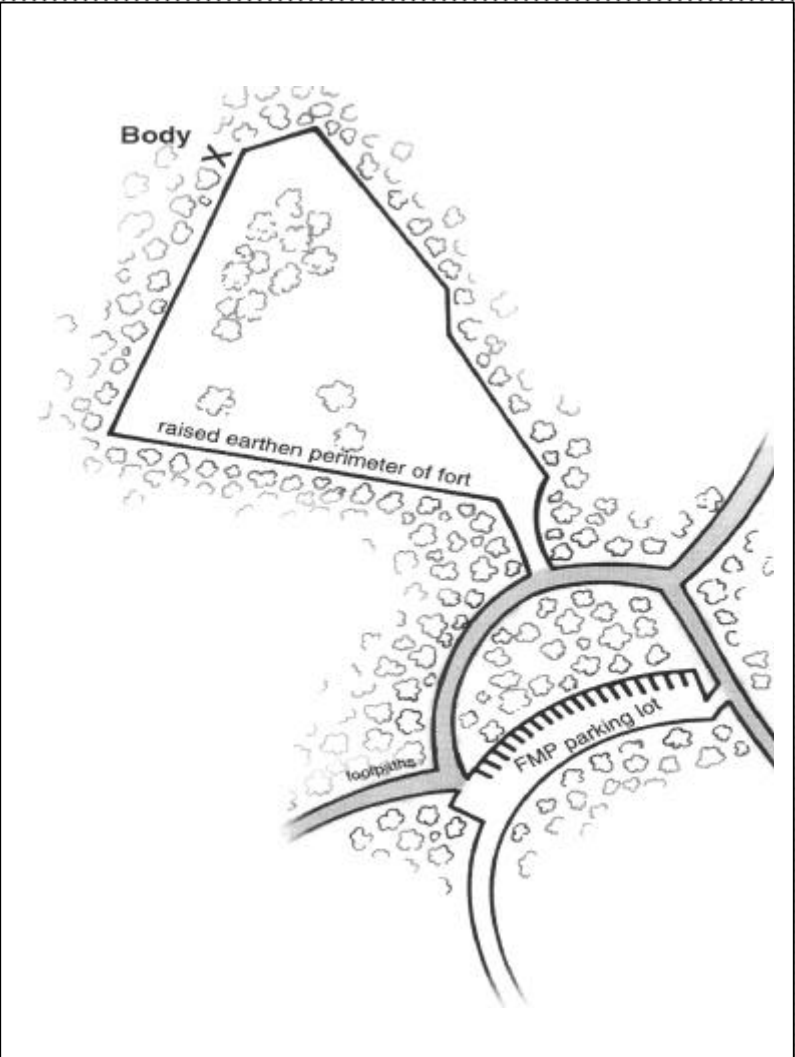
Inv. Christine Hodakievic

Lieutenant Patrick Gavin

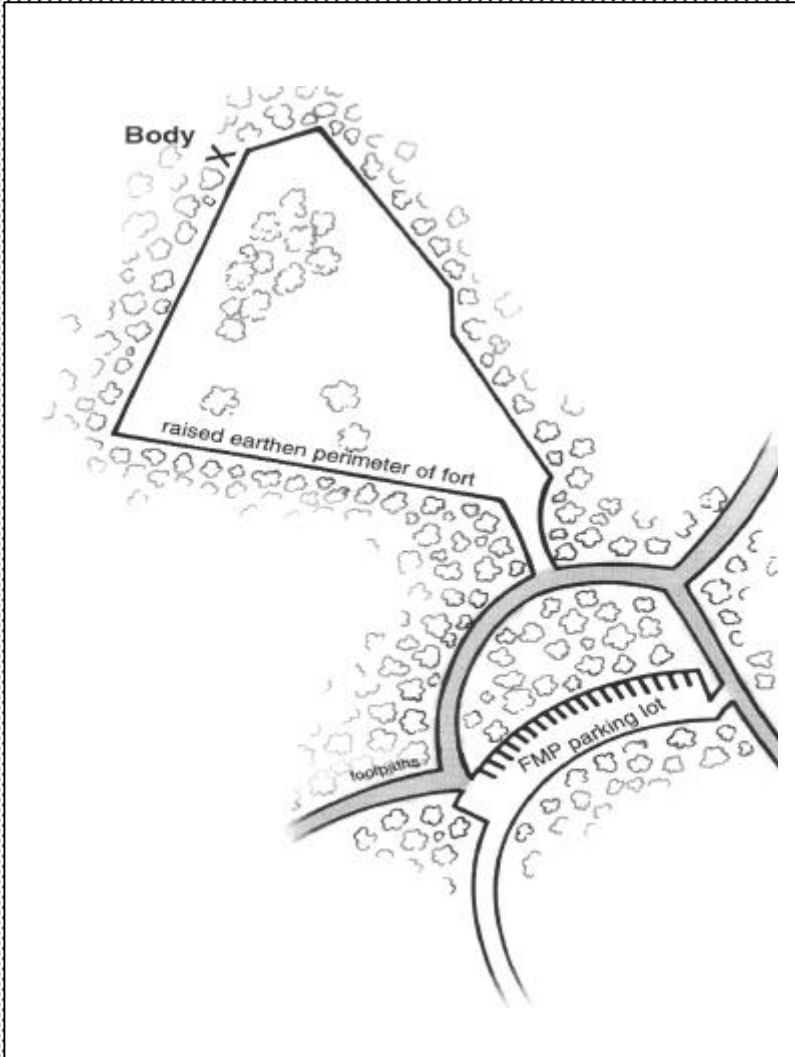
		Parking lot
Lieutenant Ronald Schmidt	Officer William Watson	Officer Julie Spetz
Investigator John Rolla	Intern with Officer Watson	Male Civilian
Officer Franz Ferstl	Investigator Cheryl Braun	Female Civilian

In the parking lot, police questioned the civilian couple. Lieutenant Ronald Schmidt arrived, offered assistance, and Braun reportedly told him it was a suicide and that they "had not found the credentials yet." Schmidt left. While Rolla, Abt, and Braun awaited the arrival of Evidence Technician Peter Simonello, Braun finished questioning the civilian couple and Abt walked to the front gate to investigate the Mercedes that had broken down.

Investigator Rene Abt

Body site	FORT MARCY PARK 6:42-6:43 See endnote 21.		
Sergeant Robert Edwards	<p>Sometime during the over 15 minutes that Sergeant Edwards was alone with the body, an untraceable .38 caliber black revolver replaced the automatic pistol in Mr. Foster's hand. Edwards also moved Mr. Foster's head to the right side, causing blood to flow out of the mouth onto his right side (and leaving a stain on the right cheek from its contact with the bloody right shoulder). This made it appear that the blood already on the right side, which had in fact drained from the right side neck wound, had come from the mouth. He thus concealed the existence of the neck wound (inconsistent with suicide), and made it appear as if Mr. Foster may have been shot in the mouth (consistent with suicide). The official explanation for the contact blood stain on the right cheek is that it had appeared when an unknown fire and rescue worker checked the pulse.</p>		
Lieutenant Patrick Gavin			
Inv. Christine Hodakievic			
<p>Gavin looked at the scene, saw blood trickling out of Mr. Foster's mouth, and thought he had been mugged. Because Ferstl remained in the lot, Hodakievic was the only witness who saw the body both before and after Edwards had been alone with it. Hodakievic's report addressed only the activities in the parking lot. When she later saw photographs of the body, she said the appearance of the body had changed from when she had seen it.</p>			
			
Evidence Technician Peter Simonello arrived in the lot.			
Ev Tech Peter Simonello			
	Investigator John Rolla	Officer Julie Spetz	Parking lot
	Investigator Cheryl Braun	Officer William Watson	Male Civilian
	Officer Franz Ferstl	Intern with Officer Watson	Female Civilian

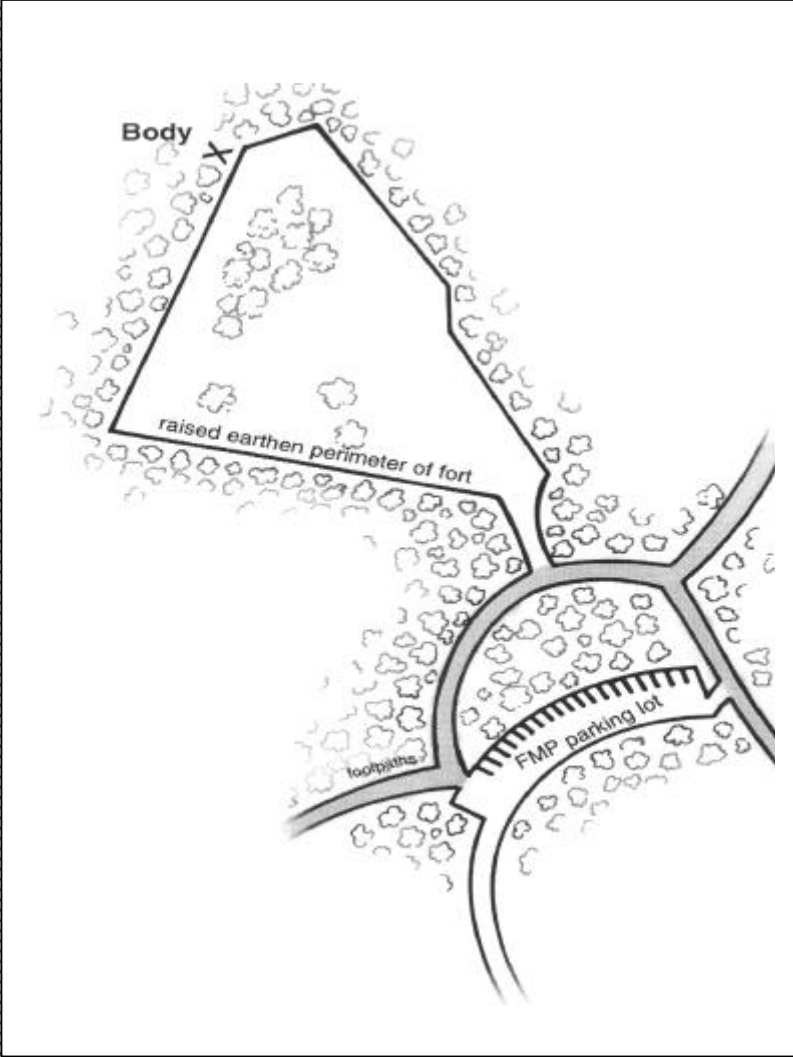
Body site	FORT MARCY PARK	6:44	<u>See</u> endnote 22.
Sergeant Robert Edwards			
Lieutenant Patrick Gavin			
Inv. Christine Hodakievic			



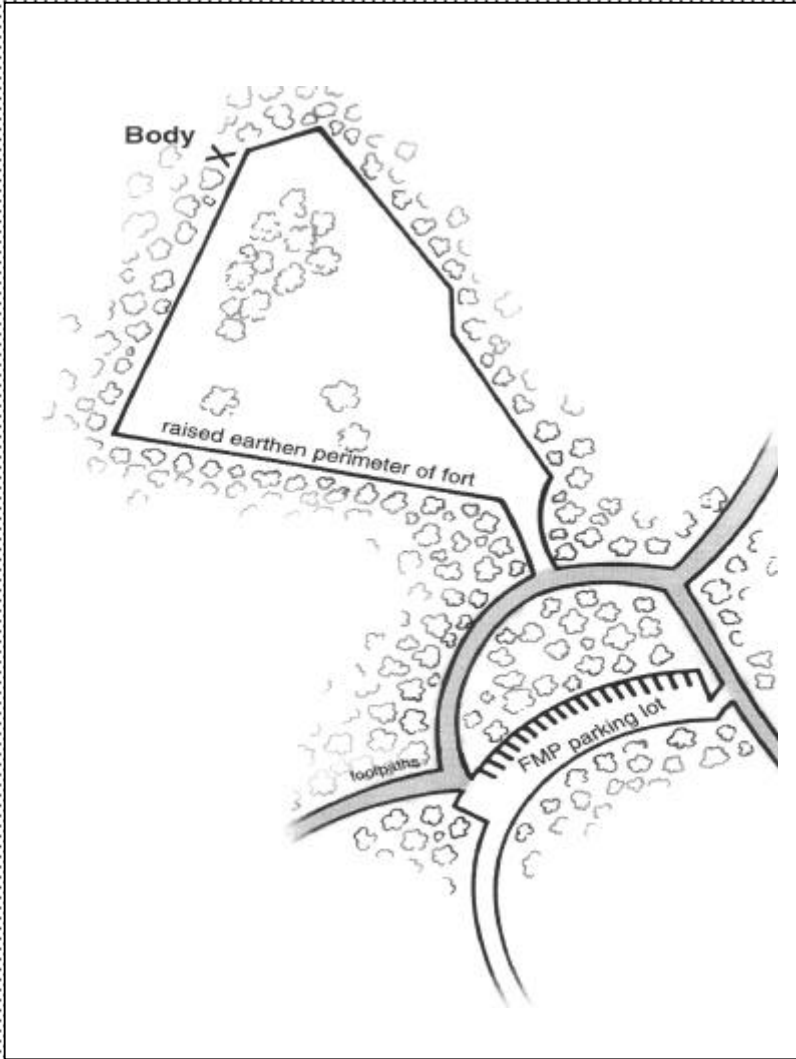
Officer Spetz left the parking lot area, having never gone up to the body. The civilian couple also left the park. Investigator Abt returned to the parking lot after checking the Mercedes.

Parking lot
Investigator Cheryl Braun
Officer William Watson
Intern with Officer Watson
Investigator Rene Abt
Officer Franz Ferstl
Investigator John Rolla
Ev Tech Peter Simonello

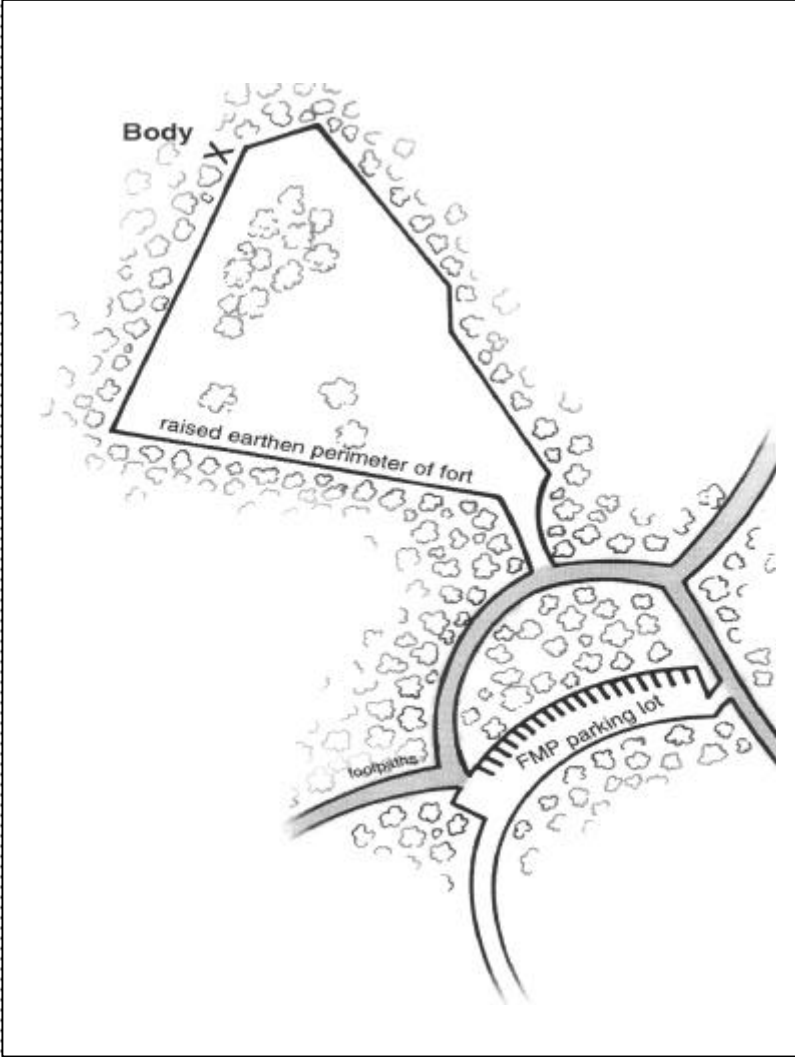
Body site	FORT MARCY PARK 6:45	<u>See endnote 23.</u>
Sergeant Robert Edwards	<div data-bbox="570 254 1068 348" style="border: 1px solid black; padding: 5px;"> <p>The determination that the death was a suicide had been made by this time.</p> </div>	
Lieutenant Patrick Gavin		
Inv. Christine Hodakievic		
<div data-bbox="609 447 1399 1497" style="border: 1px solid black; padding: 10px;"> </div>		
Investigator Cheryl Braun	<div data-bbox="570 1556 1089 1728" style="border: 1px solid black; padding: 5px;"> <p>Investigators John Rolla, Cheryl Braun, Renee Abt, Officer William Watson, the intern, and Evidence Technician Peter Simonello began walking up to the body site with their cameras and equipment.</p> </div>	
Investigator John Rolla		
Ev Tech Peter Simonello		
Officer William Watson		
Intern with Officer Watson		
Investigator Rene Abt	<div data-bbox="440 1822 1052 1879" style="border: 1px solid black; padding: 5px;"> <p>Officer Ferstl remained alone in the parking lot.</p> </div>	
		<div data-bbox="1068 1782 1453 1894" style="border: 1px solid black; padding: 5px;"> <p style="text-align: center;">Parking lot</p> <p>Officer Franz Ferstl</p> </div>

Body site	FORT MARCY PARK 6:46-6:48 <u>See endnote 24.</u>		
Sergeant Robert Edwards	<div data-bbox="573 275 1393 485" style="border: 1px solid black; padding: 5px; margin-bottom: 20px;"> <p>When the investigators arrived at the body site, they observed Sergeant Edwards taking photographs. Braun was told that the death was a suicide. According to Rolla, although Gavin was the senior officer present, Braun and Hodakievic were in charge of the scene and did the "decision making." Rolla was in charge of the body scene. Rolla said it was his first "suicide" investigation.</p> </div> <div data-bbox="610 600 1398 1650" style="border: 1px solid black; padding: 10px; text-align: center;">  </div>		
Lieutenant Patrick Gavin			
Inv. Christine Hodakievic			
Investigator Cheryl Braun			
Investigator John Rolla			
Ev Tech Peter Simonello			
Investigator Rene Abt			
Intern with Officer Watson			
Officer William Watson			
<table border="1" style="margin-left: auto;"> <tr> <td data-bbox="1068 1780 1448 1835">Parking lot</td> </tr> <tr> <td data-bbox="1068 1835 1448 1894">Officer Franz Ferstl</td> </tr> </table>		Parking lot	Officer Franz Ferstl
Parking lot			
Officer Franz Ferstl			

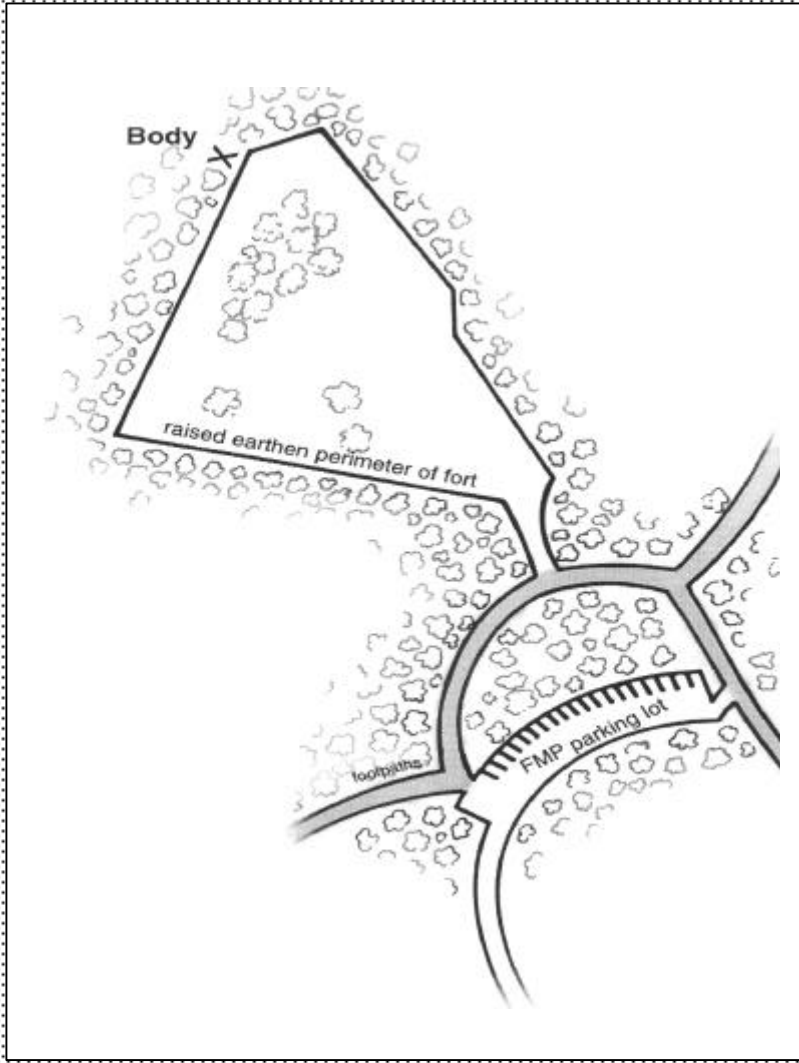
Body site	FORT MARCY PARK 6:49-6:53 See endnote 25.
Sergeant Robert Edwards	<p>The Investigators observed the wet, flowing, fresh blood, as well as the contact stain on Mr. Foster's face, all caused when Edwards moved the head. They also saw the older, dark, dried blood that the earlier witnesses had seen. There are no reports of anyone who saw the body having seen the official entrance or exit wounds. No one saw blood spatter, bone or brain matter. Rolla and Simonello photographed the scene, Rolla taking Polaroids (the "backside" photographs vanished) and Simonello using his 35-mm camera (reportedly "underexposed"). Those who recalled the gun in Mr. Foster's right hand described it as a revolver. Rolla emptied Mr. Foster's pockets, found nothing, and Braun, Hodakievic and Rolla realized that there were no keys in Mr. Foster's pockets.</p>
Lieutenant Patrick Gavin	
Intern with Officer Watson	
Investigator Cheryl Braun	
Inv. Christine Hodakievic	
Ev Tech Peter Simonello	
Investigator John Rolla	
Investigator Rene Abt	
Officer William Watson	



Parking lot
Officer Franz Ferstl

Body site	FORT MARCY PARK 6:54-7:14 <u>See endnote 26.</u>	
Investigator John Rolla		
Investigator Rene Abt		
Ev Tech Peter Simonello		
Inv. Christine Hodakievic		
Sergeant Robert Edwards		
Lieutenant Patrick Gavin		
Investigator Cheryl Braun		
Officer William Watson		
Intern with Officer Watson		
<p>Braun and Hodakievic returned to the parking lot to recheck the car for keys. Watson and the Intern walked back to the lot and left the park.</p>		
	Tow truck driver	
	When a tow-truck driver, who had arrived to tow the Mercedes, pulled into the lot to turn around, Hodakievic briefly interviewed him. Gavin, Edwards, Watson and the Intern returned to the parking lot and left the scene.	Officer Franz Ferstl

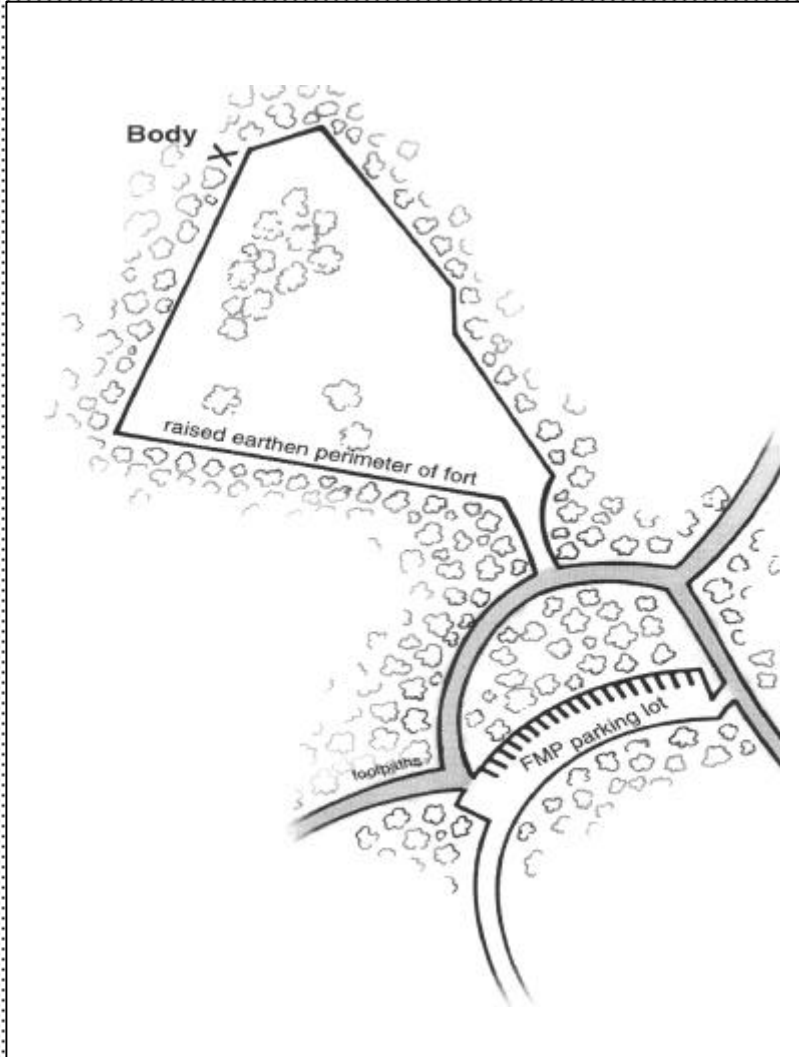
Body site	FORT MARCY PARK 7:15	<u>See endnote 27.</u>
Investigator John Rolla		
Ev Tech Peter Simonello		
Investigator Rene Abt		



The Fairfax County Medical Examiner, Dr. Donald Haut, arrived in the parking lot with a female driver.

Parking lot
Dr. Donald Haut
Dr. Haut's female driver
Investigator Cheryl Braun
Inv. Christine Hodakievic
Officer Franz Ferstl

Body site	FORT MARCY PARK 7:16-7:17 See endnote 28.
Investigator John Rolla	
Ev Tech Peter Simonello	
Investigator Rene Abt	

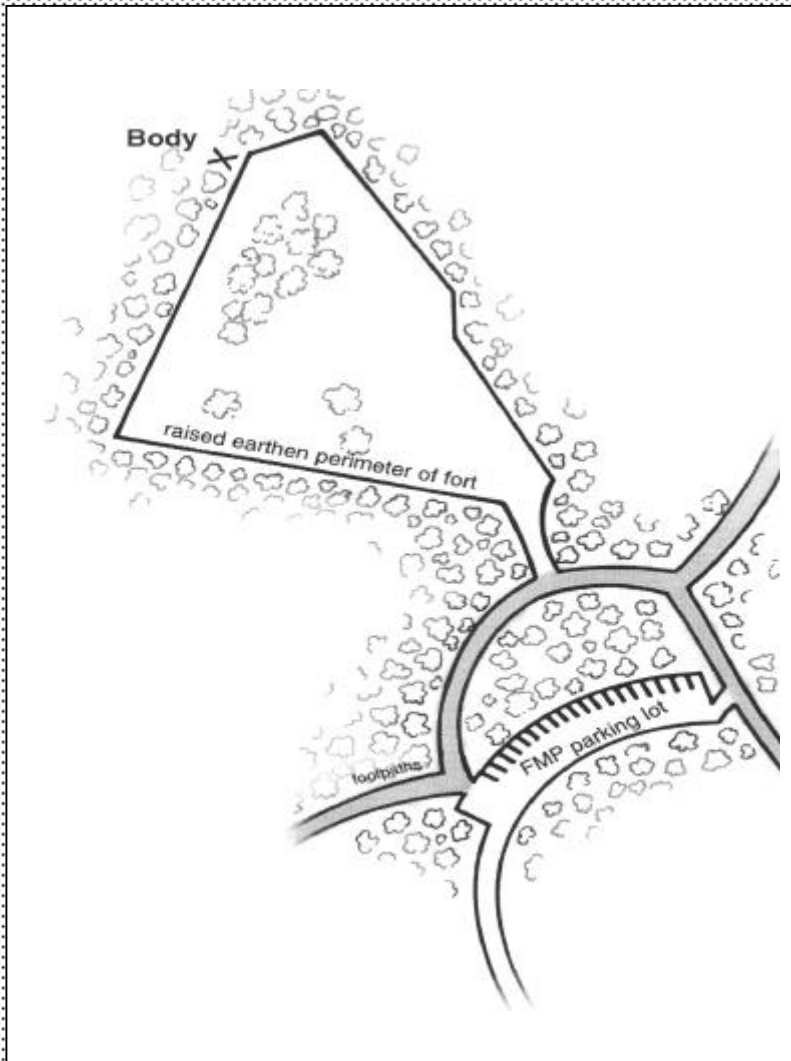


Investigator Cheryl Braun	Investigators Braun and Hodakievic escorted Dr. Haut up to the body site to join Rolla, Abt, and Simonello.
Inv. Christine Hodakievic	
Dr. Donald Haut	

Ferstl remained in the parking lot with Dr. Haut's driver.

Parking lot
Dr. Haut's female driver
Officer Franz Ferstl

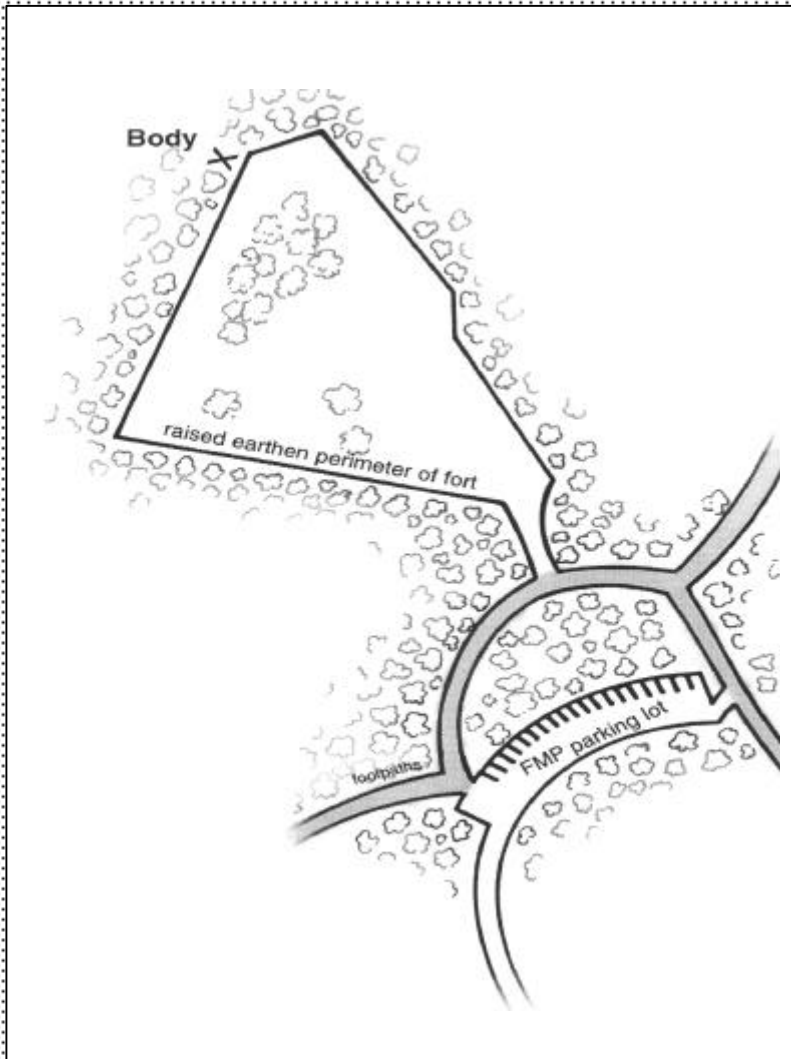
Body site	FORT MARCY PARK 7:18-7:43 <u>See</u> endnote 29.
Investigator Cheryl Braun	<p>By the time Hodakievic, Braun, and Haut arrived at the body, Simonello had removed the black .38 revolver from Mr. Foster's right hand. Mr. Foster's fingerprints were not on the gun. Dr. Haut examined the body. He observed a small bullet hole in Mr. Foster's neck and noted it in his report. Rolla gloved up and probed the back of Mr. Foster's head. He felt a "mushy spot," but no exit wound. At 7:43, Dr. Haut pronounced the body dead and ordered it transported. Rolla later described to the FBI his inspection of the back of Mr. Foster's head, but that portion of the FBI agent's handwritten notes of that interview is redacted.</p>
Ev Tech Peter Simonello	
Inv. Christine Hodakievic	
Dr. Donald Haut	
Investigator Rene Abt	
Investigator John Rolla	



Parking lot
Officer Franz Ferstl
Dr. Haut's female driver

Body site	FORT MARCY PARK 7:44 <u>See endnote 30.</u>			
Investigator Rene Abt	<div data-bbox="573 291 1261 407" data-label="Text"> <p>Dr. Haut, Technician Simonello, and Investigators Rolla, Braun, and Hodakievic returned to the parking lot, leaving Investigator Renee Abt alone with the body.</p> </div> <div data-bbox="609 598 1399 1650" data-label="Diagram"> <p>The diagram illustrates the layout of the body site. At the top, a cluster of trees contains an 'X' labeled 'Body'. This area is enclosed by a 'raised earthen perimeter of fort'. To the right and bottom, a road and a 'FMP parking lot' are shown. 'Footpaths' are also indicated near the parking lot. The entire scene is surrounded by a field of smaller trees.</p> </div>			
Investigator Cheryl Braun				
Dr. Donald Haut				
Inv. Christine Hodakievic				
Ev Tech Peter Simonello				
Investigator John Rolla				
	<div data-bbox="1068 1724 1453 1894" data-label="Table"> <table border="1"> <tr> <td>Parking lot</td> </tr> <tr> <td>Officer Franz Ferst</td> </tr> <tr> <td>Dr. Haut's female driver</td> </tr> </table> </div>	Parking lot	Officer Franz Ferst	Dr. Haut's female driver
Parking lot				
Officer Franz Ferst				
Dr. Haut's female driver				

Body site	FORT MARCY PARK	7:45-8:00
Investigator Rene Abt		

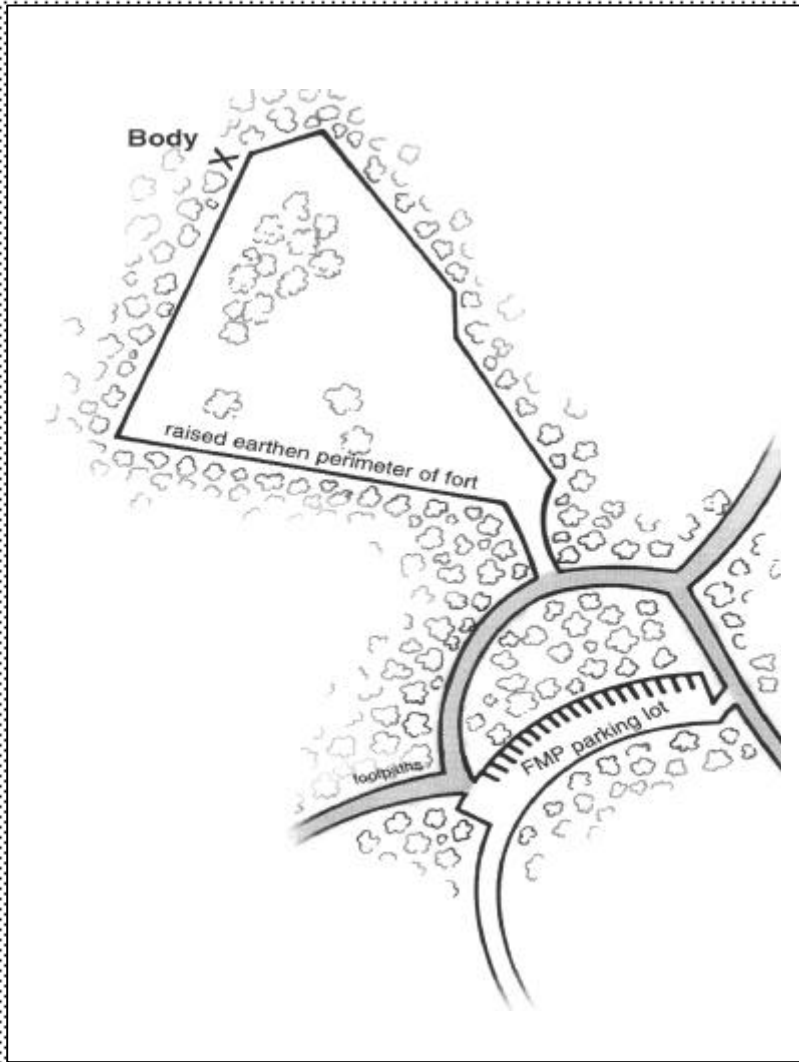


Haut, Rolla, Braun, Hodakievic and Simonello joined Ferstl and Dr. Haut's driver. Police waited for the ambulance to arrive to transport the body.

Parking lot
Investigator Cheryl Braun
Dr. Donald Haut
Investigator John Rolla
Inv. Christine Hodakievic
Ev Tech Peter Simonello
Dr. Haut's female driver
Officer Franz Ferstl

Body site	FORT MARCY PARK 8:01-8:06	<u>See endnote 31.</u>
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Investigator Rene Abt



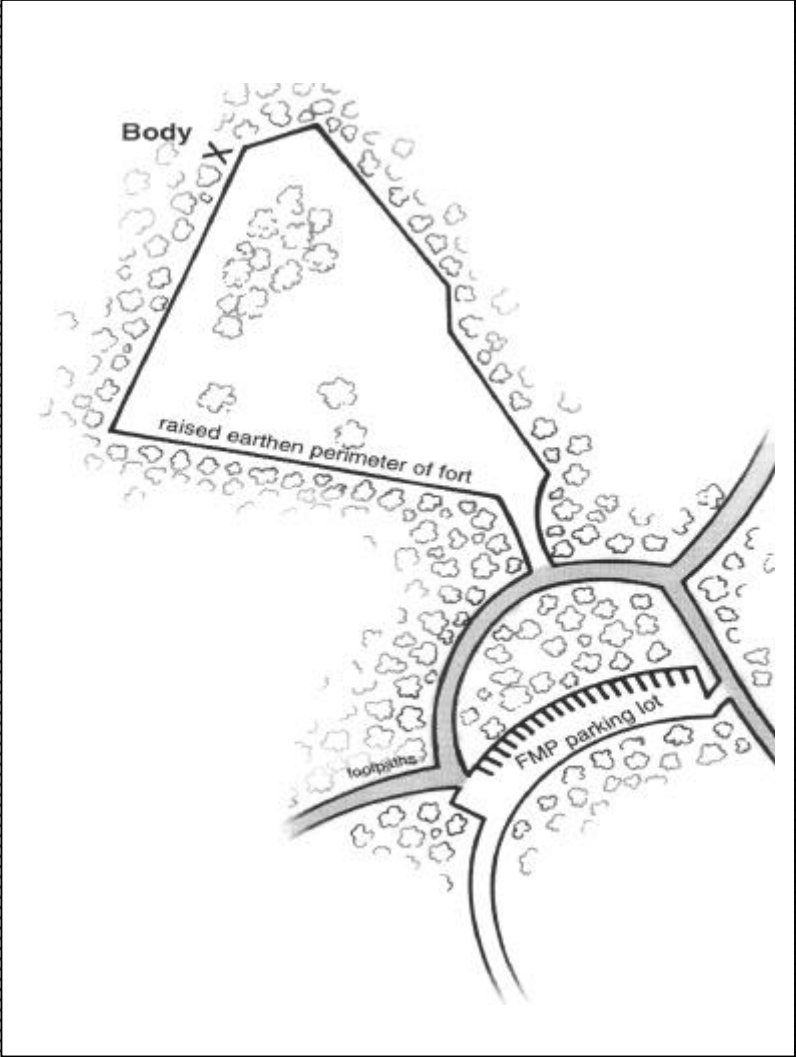
Investigators Hodakievic and Rolla went with firefighters Corey Ashford and Roger Harrison to the body site to retrieve the body.

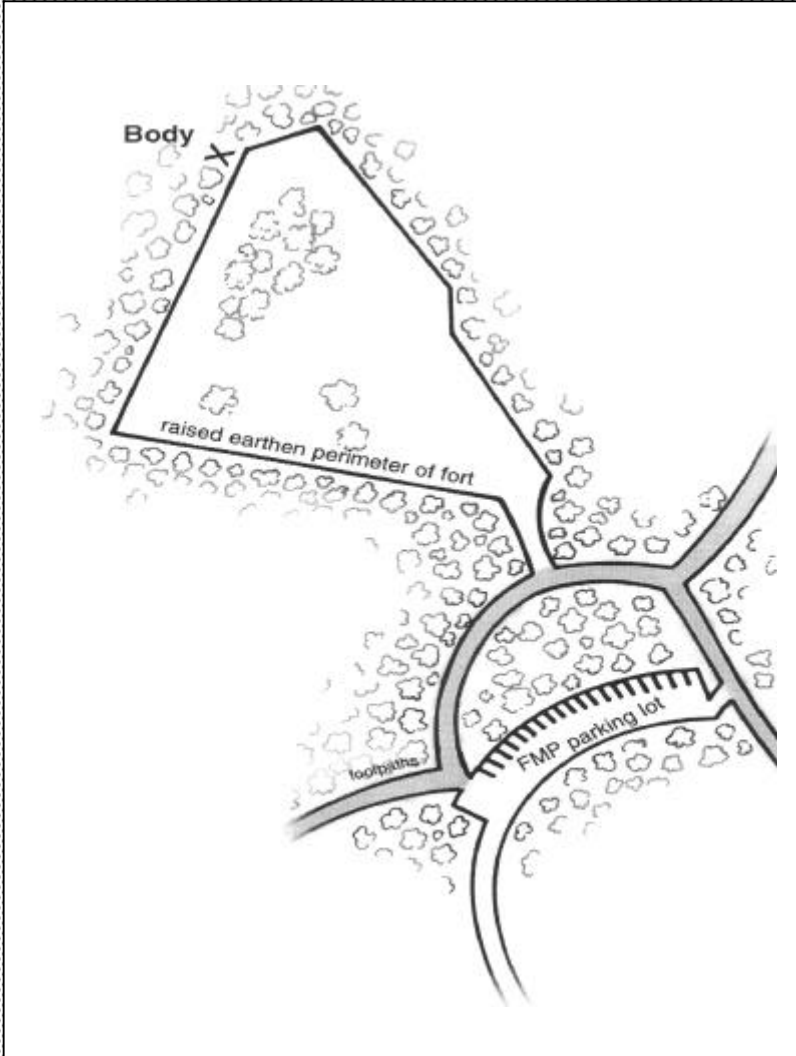
- | |
|----------------------------|
| Inv. Christine Hodakievic |
| Investigator John Rolla |
| Firefighter Roger Harrison |
| Firefighter Corey Ashford |

When Ashford arrived at 8:02, he saw a "dull red" Honda parked in the same space as Mr. Foster's silver-colored Honda was reportedly parked. Ashford was told that the "dull red" Honda belonged to Mr. Foster.

Dr. Haut and his driver left.

Parking lot
Ev Tech Peter Simonello
Investigator Cheryl Braun
Officer Franz Ferstl

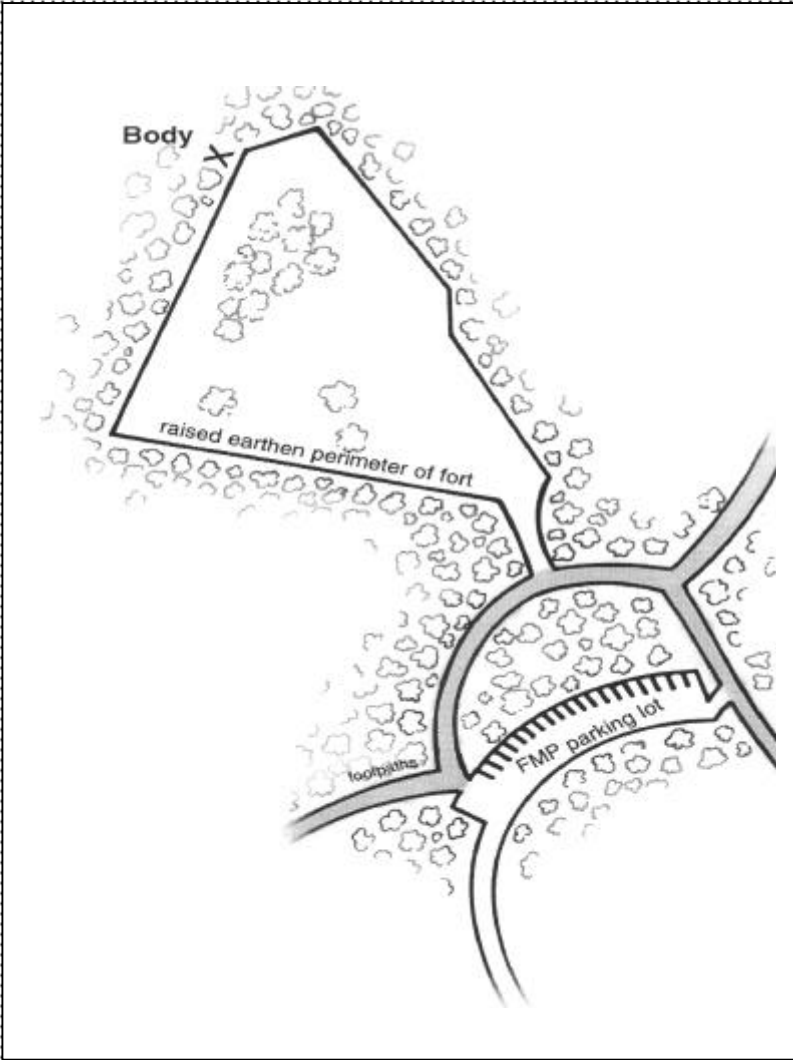
Body site	FORT MARCY PARK 8:07								
Firefighter Corey Ashford	<div data-bbox="573 216 1299 369" style="border: 1px solid black; padding: 5px;"> <p>When Ashford placed Foster's body in the body bag, he noticed that the head was "intact" and that there was very little blood. He concluded the death was a homicide and in his report coded the death a homicide by firearm.</p> </div>								
Firefighter Roger Harrison									
Inv. Christine Hodakievic									
Investigator John Rolla									
Investigator Rene Abt									
									
<p>Three more Firefighters, Bianchi, Makuch and Jacobs, arrived in the parking lot to help bag and transport the body.</p>		<table border="1" style="width: 100%;"> <thead> <tr> <th data-bbox="1068 1497 1448 1554">Parking lot</th> </tr> </thead> <tbody> <tr> <td data-bbox="1068 1554 1448 1608">Firefighter Lt. Wm. Bianchi</td> </tr> <tr> <td data-bbox="1068 1608 1448 1663">Firefighter Andrew Makuch</td> </tr> <tr> <td data-bbox="1068 1663 1448 1717">Firefighter Victoria Jacobs</td> </tr> <tr> <td data-bbox="1068 1717 1448 1772">Investigator Cheryl Braun</td> </tr> <tr> <td data-bbox="1068 1772 1448 1827">Ev Tech Peter Simonello</td> </tr> <tr> <td data-bbox="1068 1827 1448 1894">Officer Franz Ferstl</td> </tr> </tbody> </table>	Parking lot	Firefighter Lt. Wm. Bianchi	Firefighter Andrew Makuch	Firefighter Victoria Jacobs	Investigator Cheryl Braun	Ev Tech Peter Simonello	Officer Franz Ferstl
Parking lot									
Firefighter Lt. Wm. Bianchi									
Firefighter Andrew Makuch									
Firefighter Victoria Jacobs									
Investigator Cheryl Braun									
Ev Tech Peter Simonello									
Officer Franz Ferstl									

Body site	FORT MARCY PARK 8:08-8:09			
Firefighter Corey Ashford	<div data-bbox="609 409 1166 525" style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p>By the time the three additional Firefighters arrived at the body site, the body had already been placed in the body bag.</p> </div> <div data-bbox="602 541 1393 1591" style="border: 1px solid black; padding: 10px; margin-bottom: 10px;">  <p>The diagram shows a site layout with a 'Body' marked by an 'X' in a wooded area. A 'raised earthen perimeter of fort' surrounds the area. 'Footpaths' and an 'FMP parking lot' are also indicated.</p> </div>			
Firefighter Roger Harrison				
Investigator Rene Abt				
Inv. Christine Hodakievic				
Investigator John Rolla				
Firefighter Lt. Wm. Bianchi				
Firefighter Andrew Makuch				
Firefighter Victoria Jacobs				
			<div data-bbox="1068 1669 1448 1724" style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> <p>Parking lot</p> </div> <div data-bbox="1068 1724 1448 1778">Investigator Cheryl Braun</div> <div data-bbox="1068 1778 1448 1833">Officer Franz Ferstl</div> <div data-bbox="1068 1833 1448 1887">Ev Tech Peter Simonello</div>	

Body site	FORT MARCY PARK	8:10-8:15
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The five Firefighters and Investigators Hodakievic, Rolla, and Abt returned to the parking lot with Mr. Foster's body.

- Firefighter Corey Ashford
- Firefighter Roger Harrison
- Firefighter Lt. Wm. Bianchi
- Firefighter Victoria Jacobs
- Firefighter Andrew Makuch
- Inv. Christine Hodakievic
- Investigator John Rolla
- Investigator Rene Abt



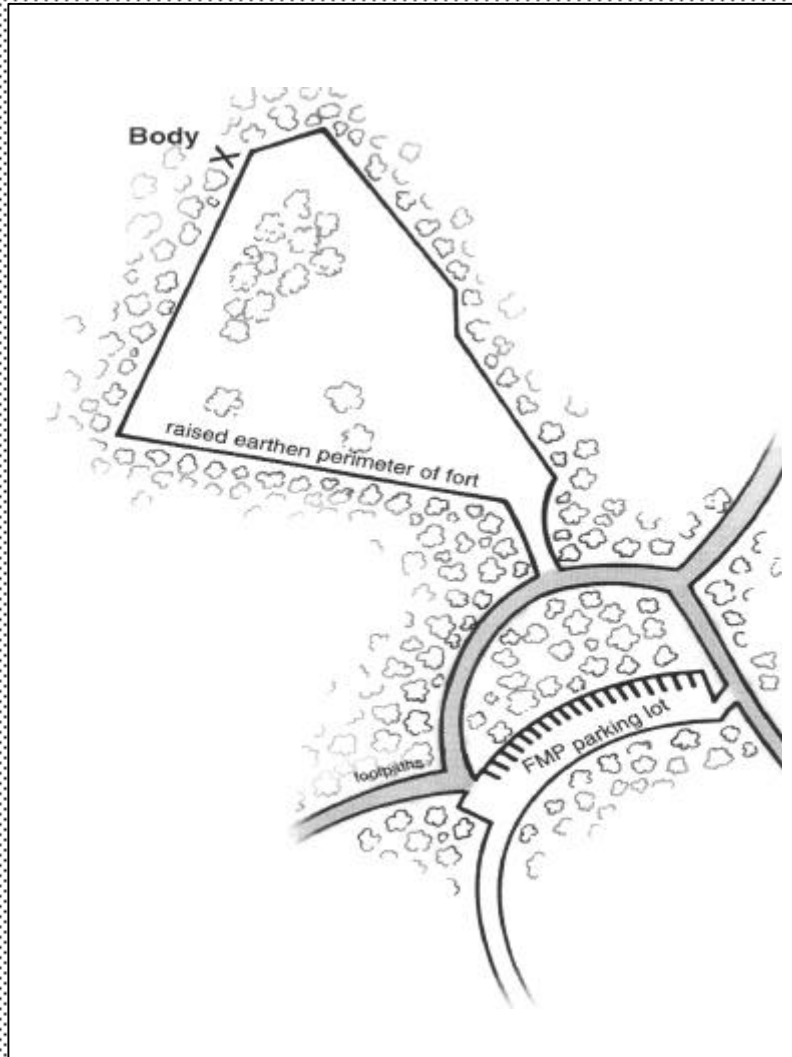
Firefighters transported the body from the park to the morgue, and Investigators remained in the lot.

- | |
|---------------------------|
| Parking lot |
| Investigator Cheryl Braun |
| Officer Franz Ferstl |
| Ev Tech Peter Simonello |

Body site

FORT MARCY PARK

8:16-8:44



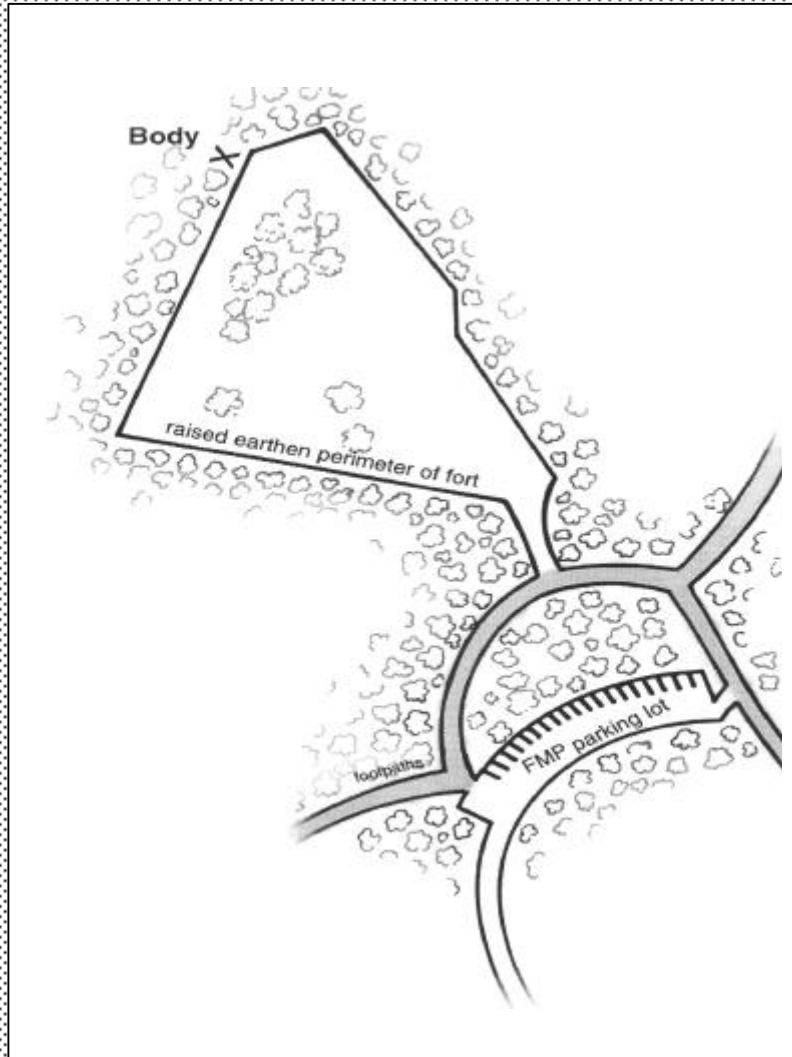
The firefighters and Mr. Foster's body left at 8:16 p.m.
The Police inventoried and photographed the Honda.

Parking lot
Investigator Cheryl Braun
Inv. Christine Hodakievic
Investigator Rene Abt
Investigator John Rolla
Officer Franz Ferstl
Ev Tech Peter Simonello

Body site

FORT MARCY PARK

8:45-9:30



By 8:45, all the police except Officer Ferstl and an unidentified officer who signed the towing receipt, left the parking lot. The Arkansas Honda was towed at 9:30 p.m.

Parking lot

Tow truck driver

Unidentified Police Officer

Officer Franz Ferstl