

FEDERAL BUREAU OF INVESTIGATION
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FOI/PA# 1451420-0

Total Deleted Page(s) = 41

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FEDERAL BUREAU OF INVESTIGATION
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DELETED PAGE INFORMATION SHEET
FOI/PA# 1379889-0

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(Title) _____

(File No.) 44A-2373-1A

Item	Date Filed	To be returned		Disposition
		Yes	No	
1	5/1/86		✓	ORIGINAL NOTES RE INTERVIEW OF [redacted] <i>DS</i>
2	5/1/86		✓	ORIGINAL NOTES RE INTERVIEW OF [redacted] <i>DS</i>
3	5/1/86		✓	ORIGINAL NOTES RE INTERVIEW OF [redacted] <i>DS</i>
4	5/1/86		✓	PRINT-OUT ARREST RECORD FOR [redacted] <i>DS</i>
5	5/1/86		✓	ORIGINAL NOTES RE INTERVIEW/TELEPHONE OF [redacted] <i>DS</i>
6	5/1/86		✓	LETTER FROM [redacted] AND [redacted] THEIR STATEMENTS. <i>DS</i>
7	5/1/86		✓	ORIGINAL NOTES RE INTERVIEW OF [redacted] <i>DS</i>
8	5/2/86		X	INTERVIEW NOTES FOR [redacted]
9	5/13/86		X	FD-406, AUTH. TO RELEASE INFO OF [redacted]
10	5/13/86		X	ORIG. NOTES OF INTERVIEW OF [redacted]
11	5/13/86		X	BOOK ENTITLED "ADVANCED STUDIES IN GRAPHOLOGY" <i>AM</i>
12	6/1/87		✓	ORIG. NOTES OF INTERVIEW OF [redacted]

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SEARCHED INDEXED
SERIALIZED FILED
MAY 01 1986
FBI - SAN FRANCISCO

44A-2373-1A

Field File No.

OO and File No. SF 44A-2373

Date Received 1/21/86

From

(NAME OF CONTRIBUTOR)

(ADDRESS OF CONTRIBUTOR)

Grand Jury

By

To Be Returned Yes

No

Yes

No

Receipt Given Yes

No

Grand Jury Material -
Disseminate Only
Pursuant to Rules
6(e), Federal Rules
of Criminal Procedure

Description: Original notes re interview of

44A-2373-1A(1)

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Field File No. _____

OO and File No. SF 44A-2373

Date Received 1/22/84

From

[Redacted]

By

[Redacted]

To Be Returned Yes

No

Yes

No

Receipt Given Yes

No

Grand Jury Material-
Disseminate Only
Pursuant to Rules
6(e), Federal Rules
of Criminal Procedure

Description: Original notes re interview of

[Redacted]

44A-2373-LA (2)

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Field File No.

OO and File No.

SF 44A-2373

Date Received

1/22/84

From

[Redacted]

[Redacted]

By

[Redacted]

To Be Returned Yes

No

Yes

No

Receipt Given Yes

No

Grand Jury Material-
Disseminate Only
Pursuant to Rules
6(e), Federal Rules
of Criminal Procedure

Description

Original notes re interview of

[Redacted]

44A-2373-1A(3)

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Field File No.

OO and File No.

Date Received

From

(NAME OF CONTRIBUTOR)

(ADDRESS OF CONTRIBUTOR)

By

To Be Returned Yes

No

Yes

No

Receipt Given Yes

No

Grand Jury Material
Disseminate Only
Pursuant to Rules
6(e), Federal Rules
of Criminal Procedure

Description:

Original notes re interview of

[Empty rectangular box for description]

44A-2373-1A(4)

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Field File No. _____

OO and File No. 44A-2373

Date Received 1/10/86

From

[Redacted]

b6
b7C

By

[Redacted]
(Name of Special Agent)

To Be Returned Yes

No

Yes

No

Receipt Given Yes

No

Grand Jury Material - Disseminate
Only Pursuant to Rules 6(e),
Federal Rules of Criminal
Procedure

Description:

[Redacted]

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44A-2373-1A(6)

Field File No. SF 44A-2373

OO and File No. _____

Date Received 11/6/86

From _____

By _____

To Be Returned Yes

No

Yes

No

Receipt Given Yes

No

Grand Jury Material-
Disseminate Only
Pursuant to Rules
6(e), Federal Rules
of Criminal Procedure

Description: Original notes re interview of

44A-2373-1A(7)

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Field File No. SF 44A-2373-1A(8)

OO and File No. SF

Date Received 2/26/86

From _____
(NAME OF CONTRIBUTOR)

(ADDRESS OF CONTRIBUTOR)

By S.A. _____
(NAME OF SPECIAL AGENT)

To Be Returned Yes
 No

Receipt Given Yes
 No

Yes
 No

Grand Jury Material-
Disseminate Only
Pursuant to Rules
6(e), Federal Rules
of Criminal Procedure

Description: Original notes re interview of

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Field File No. _____
00 and File No. 44A-2373-1A(9)

Date Received _____

From _____
(NAME OF CONTRIBUTOR)

(ADDRESS OF CONTRIBUTOR)

(CITY AND STATE)

By _____
(NAME OF SPECIAL AGENT)

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b7C

To Be Returned Yes
 No

Receipt Given Yes
 No

Yes
 No

Grand Jury Material-
Disseminate Only
Pursuant to Rules
6(e), Federal Rules
of Criminal Procedure

Description: Original notes re interview of _____

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44A-2373-1A(9)

Field File No. LA 44A-5045

OO and File No. SF 44A-2373 - ~~IA(9)~~ IA(10)

Date Received 3-12-86

From _____
(Name of Contributor)

(Address of Contributor)

(City and State)

By _____
(Name of Special Agent)

To Be Returned Yes No Receipt Given Yes No

Grand Jury Material - Disseminate Only Pursuant to Rule 6(e), Federal Rules of Criminal Procedure Yes No

Title:

Reference: _____
(Communication Enclosing Material)

Description: Original notes re interview of



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44A-2373-~~IA(9)~~ IA(10)

Field File No. _____
00 and File No. 44A-2373-1A(11)

Date Received _____

From _____
(NAME OF CONTRIBUTOR)

(ADDRESS OF CONTRIBUTOR)

LA, CA
(CITY AND STATE)

By _____
(NAME OF SPECIAL AGENT)

To Be Returned Yes

No

Yes

No

Receipt Given Yes

No

Grand Jury Material-
Disseminate Only
Pursuant to Rules
6(e), Federal Rules
of Criminal Procedure

Description: Original notes re interview of

BOOK ENTITLED "ADVANCED
STUDIES IN GRAPHOLOGY."
AM

44A-2373-1A(11)

KEEP ATTACHED TO EXHIBIT.
SF # 44A-2: 3-1A(11)

Advanced Studies in Graphology

ANDREA McNICHOL

COPYRIGHT 1978

Field File No. SP . 44A-2373

OO and File No. _____

Date Received 3/25/86

From _____
By _____
(NAME OF SPECIAL AGENT)

To Be Returned Yes
 No
 Yes
 No

Receipt Given Yes
 No
Grand Jury Material-
Disseminate Only
Pursuant to Rules
6(e), Federal Rules
of Criminal Procedure

Description: Original notes re interview of

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FEDERAL BUREAU OF INVESTIGATION
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File
6-11-86

National Association for the Advancement of Colored People

OAKLAND BRANCH

663 - 35th STREET, OAKLAND CA 94609

PHONE 652-8493

Richard Held
Director of F.B.I.
450 Golden Gate
San Francisco, CA 95142

UNSURE!
TIMOTHY LEE - VICTIM
CIVIL RIGHTS
OO:SF
CHARLES

b6
b7C

Re: Death of Timothy Lee

Dear Mr. Held:

The Oakland and Emeryville NAACP Chapters request an investigation by your agency of the death of Timothy Lee. The cause of death by the Concord Police was listed as suicide. Stated below are the reasons why we feel that an investigation is of paramount importance.

- Item 1: The destruction of the back pack strap Lee allegedly hung himself with by the Concord coroner's office.
- Item 2: Statments of facts by persons that Lee talked via telephone the morning of his death. (see enclosures)
- Item 3: Pay roll check processed on 11/4/85, two days after Lee died. No endorsement by Lee on check.
- Item 4: KKK activity in Concord, CA and Contra Costa County.
- Item 5: The NAACP has reason to believe that Lee was killed due to race and sexual preference.

We trust that your agency will take immediate steps to find the real cause of Lee's death.

[Redacted]

[Redacted]

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cc: George Straka Concord Chief of Police
John Van DeKamp State Attorney General

[Redacted]

SERIALIZED FILED
44A-1985-73-1

[Redacted]

ICF/vr
Encls: (8)

GET
1-8-86

OK
A
Sup

OIRA
44A-2373-1

This
was to be
this?

AIRTEL

TO: DIRECTOR, FBI

DATE: 1/13/86

FROM: SAC, SAN FRANCISCO

ATTENTION: CRIMINAL INVESTIGATIVE DIVISION
CIVIL RIGHTS UNIT

- * 1. Initial submission _____ supplemental submission _____ revision
- * 2. File No: 44A-2373 (include alpha)
- * 3. Status: P (P - pending, P* - pending inactive, C - closed, RUC - referred upon completion)
- * 4. Title: UNSUB(S);
TIMOTHY CHARLES LEE - VICTIM
CIVIL RIGHTS

Re:

5. If Title changed, show previous Title:

* 6. TYPE OF CASE: (check one)

- | | | | |
|---|--------------------------------------|-----------------------------------|---|
| A. <input checked="" type="checkbox"/> CR | D. <input type="checkbox"/> CRA64-PE | G. <input type="checkbox"/> CRIPA | J. <input type="checkbox"/> FRS |
| B. <input type="checkbox"/> CRA64-E | E. <input type="checkbox"/> CRA64-PF | H. <input type="checkbox"/> DIH | K. <input type="checkbox"/> ISS |
| C. <input type="checkbox"/> CRA64-PA | F. <input type="checkbox"/> CREL | I. <input type="checkbox"/> ECOA | L. <input type="checkbox"/> PRIV. ACT - CRIM. |

7. AGENCY TYPE: (check one)

- | | |
|---|---|
| A. <input type="checkbox"/> City-County Jail | F. <input type="checkbox"/> Sheriff's Office |
| B. <input type="checkbox"/> Federal Agency | G. <input type="checkbox"/> State Police - Hwy Patrol |
| C. <input type="checkbox"/> Police Department | H. <input type="checkbox"/> Other |
| D. <input type="checkbox"/> Prison/Penitentiary | I. <input checked="" type="checkbox"/> Not pertinent |
| E. <input type="checkbox"/> Private Security | |

8. AGENCY NAME: _____ (20) STATE: _____ (use 2-char. abbrev.)
(omit if "Not pertinent" checked above):

* 9. ACTION: UACB;

- (check if applicable)
- | | | |
|---|---|---|
| A. <input type="checkbox"/> LHM enclosed | C. <input type="checkbox"/> Report enclosed | E. <input type="checkbox"/> No further action being taken |
| B. <input type="checkbox"/> LHM being submitted | D. <input checked="" type="checkbox"/> Report being submitted | F. <input type="checkbox"/> FD-376 (enclosure to LHM) |

* 10. Further action: A. investigation instituted
B. investigation continuing
C. investigation completed

11. Copy of above submitted to: (check as many as applicable)

- | |
|---|
| A. <input checked="" type="checkbox"/> USA <u>San Francisco</u> |
| B. <input type="checkbox"/> Secret Service |
| C. <input type="checkbox"/> BATF |
| D. _____ (15) (other - specify) |

2 - Bureau
② - San Francisco
RJH/bav
(4)

SEARCHED _____
SERIALIZED _____
INDEXED _____
FILED _____



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Enclosures

(ATTACHMENT A)

44A-2373-2

Victim TIMOTHY CHARLES LEE

12. SUBJECTS (number):
- | | | |
|-----------------------|------------|--------------|
| A. _____ Amer. Indian | _____ Male | _____ Female |
| B. _____ Asian | _____ Male | _____ Female |
| C. _____ Black | _____ Male | _____ Female |
| D. _____ Hispanic | _____ Male | _____ Female |
| E. _____ White | _____ Male | _____ Female |
| F. _____ Other | _____ Male | _____ Female |

If "Other" please specify: _____ (15)

13. VICTIMS (number):
- | | | |
|-----------------------|---------------|--------------|
| A. _____ Amer. Indian | _____ Male | _____ Female |
| B. _____ Asian | _____ Male | _____ Female |
| C. <u>X</u> Black | <u>X</u> Male | _____ Female |
| D. _____ Hispanic | _____ Male | _____ Female |
| E. _____ White | _____ Male | _____ Female |
| F. _____ Other | _____ Male | _____ Female |

If "Other" please specify: _____ (15)

14. Other descriptive data re victims: _____ not applicable

If applicable (number):

A. _____ under 18	C. _____ handicapped
B. _____ over 62	D. _____ institutionalized

15. Matter type (use best description, check more than one if applicable):

- | | | |
|--|---------------|---|
| A. <input type="checkbox"/> brutality | type _____ | (15) (i.e., shooting; beating) |
| B. <input type="checkbox"/> nonbrutality | | |
| C. <input checked="" type="checkbox"/> death of victim | | |
| D. <input checked="" type="checkbox"/> suicide | method _____ | (15) (i.e., hanging, slashed wrist) |
| E. <input type="checkbox"/> known extremist group | type _____ | (15) (i.e., Klan, Nazi, JDL) |
| F. <input type="checkbox"/> suspected ext. group | type _____ | (15) (i.e., Klan, Nazi, JDL) |
| G. <input type="checkbox"/> cross burning | | |
| H. <input type="checkbox"/> migrant victim | | |
| I. <input type="checkbox"/> violence to property | type _____ | (15) (i.e., arson, shooting) |
| J. <input type="checkbox"/> ISS matter | type _____ | (i.e., peonage, enticement, servitude, other slavery) |
| K. <input type="checkbox"/> other | explain _____ | (25) |

*16. Synopsis of Complaint - Date of initial complaint _____

On January 6, 1986, an undated letter was received by the FBI, 450 Golden Gate Avenue, San Francisco, California, from [redacted] National Association for the Advancement of Colored People (NAACP), Oakland Branch, 663 - 35th Street, Oakland, California, 94609, and [redacted] the Emeryville Branch, regarding the death of TIMOTHY CHARLES LEE. The letter stated the NAACP believes that LEE, a black male, was killed due to his race and sexual preference and requested an investigation into the death of LEE, which has been investigated and ruled a suicide by local authorities. Enclosed with the letter was a letter dated November 27, 1985, directed to them from the Concord Police Department regarding the matter, as well as a copy of a paycheck made payable to the victim, which was processed on November 4, 1985, two days after his death, on November 2, 1985. Investigation

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*17. Indices: (check one) negative positive (if positive explain in body of report/LHM)

Remarks/Administrative

SF 44A-2373
RJH/bav

by the Concord Police Department has disclosed the check was actually deposited the night before his death. Also enclosed with the letter were statements from four acquaintances of LEE concerning his mood and spirits the day before his death. Victim LEE was found hanged on a tree limb in the vicinity of the Bay Area Rapid Transit (BART) Concord Station on November 2, 1985, at approximately 12:36 p.m. by a passing citizen. Victim LEE had fallen asleep on a BART train and ended up in Concord, California, the previous night after the last train had run. He telephoned several acquaintances around midnight to pick him up and take him to his residence in Berkeley, California, but was refused.

ACLU

FOUNDATION OF
NORTHERN CALIFORNIA, INC.

1663 Mission Street, Suite 460 ☐
San Francisco, California 94103
Telephone (415) 621-2493 ☐

January 17, 1986

Mr. Richard Held
Special Agent in Charge
Federal Bureau of Investigation
P.O. Box 36015
San Francisco, CA 94102

Re: Investigation of the Death of Timothy Lee

Dear Mr. Held:

I am with the ACLU of Northern California. From the outset of Mr. Lee's death, we have been concerned that his death was not suicide but murder motivated by race and/or sexual preference. I have written several letters to the Concord Police about their investigation and conclusions. Although the Police have answered some of my questions, I think it is now clear with the revelation of new witnesses who have given extremely probative information about Mr. Lee's death that the Concord Police Department's investigation was not adequate.

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The failure of law enforcement to fully investigate possible instances of racially motivated violence is disturbing not only in terms of denial of equal protection of the laws, but also understandably undermines the minority community's confidence in our system of justice. Accordingly, your investigation into the case is particularly important. We trust you will investigate the circumstances of Mr. Lee's death thoroughly. I request that we be sent a copy of your report upon completion of the investigation.

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b7C

EMC:PJ

cc: NAACP, Oakland Branch

NAACP

SERIALIZED FILED

JAN 21 1986

FBI - SAN FRANCISCO

[Signature]

1110 2221 2

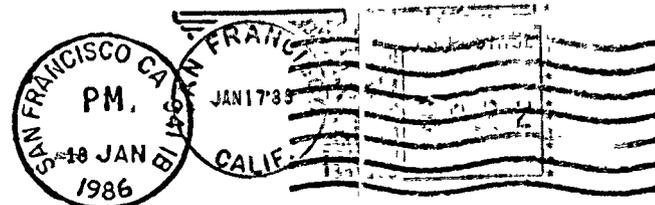
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ACLU

1663 Mission Street, Suite 460 ☐
San Francisco, California 94103

ACLU

AMERICAN CIVIL LIBERTIES UNION
OF NORTHERN CALIFORNIA, INC.
1663 Mission Street — 4th Floor ☐
San Francisco, California 94103 ☐



Mr. Richard Held
Special Agent in Charge
Federal Bureau of Investigation
P.O. Box 36015
San Francisco, CA 94102





U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to
File No.

450 Golden Gate Avenue
Box 36015
San Francisco, California 94102

January 27, 1986

[Redacted]

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ACLU
Foundation of Northern California, Inc.
1663 Mission Street, Suite 460
San Francisco, California 94103

Dear [Redacted]

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Re: Investigation of the Death
of Timothy Lee (re your
letter to the FBI,
January 17, 1986).

The primary responsibility for the investigation into the death of Timothy Lee lies with the Concord Police Department and the Contra Costa County Coroner's Office. Inasmuch as there have been allegations of possible civil rights violations, the FBI is in the process of conducting a preliminary inquiry into this matter to determine if in fact sufficient probable cause has presented itself to warrant a Federal investigation. The results of this inquiry are forwarded to the Department of Justice, Washington, D. C., for a review to determine if there is a basis for further Federal inquiry.

Please be advised that due to the highly sensitive nature of investigations of this kind, the FBI is precluded by both policy and Federal statute from releasing detailed information from our files concerning investigations.

If you or your associates have now, or in the future, any information of evidentiary value, don't hesitate in contacting the FBI.

Thank you very much for your interest and cooperation.

Very truly yours,

1 - Addressee
① - San Francisco (44A-2373)
JJR/er
(2)

RICHARD W. [Redacted] Special Agent in Charge

SEARCHED _____
SERIALIZED AM
INDEXED _____
FILED _____

[Handwritten signature]

[Redacted signature box]

Concord

44A-2373-44

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FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription 1/21/86

On January 16, 1986, Acting Supervisor [redacted] Oakland Resident Agency, Federal Bureau of Investigation (FBI), Oakland, California, telephonically advised he had received a telephone call from [redacted]

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[redacted] advised him she had contacted the National Association for the Advancement of Colored People (NAACP), Oakland, and had been advised to contact the FBI in Oakland. He advised [redacted]

[redacted]

[redacted]

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Investigation on 1/16/86 at Concord, California File # SF 44A-2373-7
by SA [redacted] *DAV* Date dictated 1/17/86

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FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription 1/22/86

[redacted]
[redacted] She was advised she would be shown a photographic lineup of six photographs of white males numbered one through six regarding the individual [redacted]
[redacted]

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She was then exhibited a photographic lineup consisting of color photographs of six white males contained in a "Show-up folder" and numbered one through six. She viewed the photographs and stated photograph number three is [redacted]

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She signed and dated the folder near photograph number three.

Photograph number three is [redacted]
[redacted]

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Investigation on 1/17/86 at Clyde, California File # SF 44A-2373-8
by SA [redacted] sac Date dictated 1/21/86

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RJH SF 44A-2373
RJH/bav

1

ADMINISTRATIVE:

On January 17, 1986, Assistant U.S. Attorney
[redacted] San Francisco, was contacted regarding
the results of the interview of [redacted] concerning
the hanging death of TIMOTHY LEE in Concord in November,
1985 [redacted]

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44A-2373-9

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE SAN FRANCISCO	OFFICE OF ORIGIN SAN FRANCISCO	DATE 2/6/86	INVESTIGATIVE PERIOD 1/6/86 - 2/3/86
TITLE OF CASE UNSUB(S); TIMOTHY CHARLES LEE - VICTIM - "DECEASED"		REPORT MADE BY SA 	TYPED BY bav
		CHARACTER OF CASE CIVIL RIGHTS	

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REFERENCE: San Francisco airtel (FD-610) to Bureau, dated 1/13/86.

- C -

ENCLOSURES:

Enclosed for the Bureau are the following items:

1. Two copies of Concord Police Department Report number 85-22679 with various supplements attached.
2. Two copies of Contra Costa County Coroner's Report 85-1073 with a report of autopsy attached.
3. Two copies of California Department of Justice, Bureau of Forensic Services, Physical Evidence Examination

ACCOMPLISHMENTS CLAIMED					<input type="checkbox"/> NONE	ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES		
							PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO

APPROVED _____ SPECIAL AGENT IN CHARGE

DO NOT WRITE IN SPACES BELOW

COPIES MADE:

- 2 - Bureau (ENCL: 7)
- 1 - USA, San Francisco (ENCL: 3)
- (ATTN: AUSA)
- ① - San Francisco (44A-2373)

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Dissemination Record of Attached Report				
Agency				
Request Recd.				
Date Fwd.				
How Fwd.				
By				

Notations

SEARCHED _____

SERIALIZED _____

INDEXED _____

FILED _____

44A-2373-10

SF 44A-2373
RJH/bav

(Enclosures continued)

report regarding handwriting examination of the suicide note.

4. A packet of 49 color photographs taken by Concord Police Department at the death scene.

Enclosed for the United States Attorney, San Francisco, is one copy each of above items numbered 1, 2 and 3.

ADMINISTRATIVE:

On January 17, 1986, Assistant U.S. Attorney [redacted] San Francisco, was contacted regarding the results of the interview [redacted] concerning the hanging death of TIMOTHY LEE in Concord in November, 1985. [redacted]

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The Concord Police Department is not the subject in this matter, however, in view of the fact this matter was investigated by the Concord Police Department and listed by that department as a suicide and this decision has been questioned by the National Association for the Advancement of Colored People (NAACP), GEORGE STRAKA, Chief, Concord Police Department, was advised by SA [redacted] of the initiation of a civil rights investigation concerning the hanging death of TIMOTHY LEE.

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It is further noted that Chief STRAKA was designated to receive a copy of the letter to SAC, FBI, San Francisco, in which the investigation into the matter was requested by the NAACP.

For information of the Bureau, [redacted]

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SF 44A-2373
RJH/bav



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C*
COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1 - USA, San Francisco
(ATTN: AUSA [redacted])

Report of: SA [redacted] Office: San Francisco
Date: 2/6/86

Field Office File #: SF 44A-2373 Bureau File #:

Title: UNKNOWN SUBJECT(S);
TIMOTHY CHARLES LEE - VICTIM -
"DECEASED"

Character: CIVIL RIGHTS

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Synopsis: At approximately 12:30 p.m., on November 2, 1986, the body of TIMOTHY CHARLES LEE, a black/American Indian, born January 18, 1962, was found by a citizen hanging on a tree limb in a vacant lot next to 1416 Mt. Diablo Street, Concord, California, which is in the vicinity of the Bay Area Rapid Transit (BART) station in Concord. LEE was hanging from a strap tied to a tree limb and his feet were approximately one foot off the ground. An apparent suicide note was located near the tree written on a white envelope which read, "To [redacted] I love you. Sorry, Tim." The hanging death of TIMOTHY LEE was investigated by the Concord Police Department and the Contra Costa County Coroner's Office and the hanging death of TIMOTHY LEE was listed as a suicide. On January 6, 1986, a letter was received by the SAC, FBI, San Francisco, from the Oakland President and the Emeryville, California President of the National Association for the Advancement of Colored People (NAACP) requesting an investigation into the death of LEE, stating that the NAACP believes LEE was killed due to race and sexual preference and that a payroll check to LEE was processed on November 4, 1985, two days after LEE's death and was not signed by LEE. The letter also enclosed various statements by friends and associates of LEE regarding his mood and activities the day prior to his death. The Concord Police Department (CPD) made available CPD offense report number 85-22679, including various supplements to that report, including color photographs and a copy of Contra Costa County

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SF 44A-2373
RJH/bav

Coroner's report number 85-1073 concerning the death of LEE and a copy of the coroner's report on the autopsy of LEE. CPD also made available a report concerning an examination of the suicide note. The CPD investigation disclosed no evidence to indicate the death was other than a suicide and the Coroner's report stated the death was due to self induced hanging. The autopsy findings were [REDACTED]

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[REDACTED] The toxicology report listed LEE's blood alcohol level as 0.13%. In California, the blood alcohol level of 0.10% is the legal level for being under the influence. The physical evidence examination report of the handwriting on the suicide note, conducted by the Bureau of Forensic Services, Division of Law Enforcement, California Department of Justice, concluded there is evidence to indicate the note was authored by LEE. Investigation by the CPD regarding the check allegedly cashed on November 4, 1986, disclosed the check was processed by the bank on that date but was actually deposited on November 1, 1986, at an automatic teller machine, which was the day prior to LEE's death. [REDACTED]

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On January 10, 1986, a letter was received by the FBI, Concord, California, which included signed statements [REDACTED]

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[REDACTED] were interviewed by the FBI and could furnish no further information. [REDACTED]

SF 44A-2373
RJH/bav

DETAILS:

PREDICATION:

Investigation in this matter was instituted upon receipt on January 6, 1986, of an undated letter by the FBI, 450 Golden Gate Avenue, San Francisco, California, from [redacted] National Association for the Advancement of Colored People (NAACP), Oakland Branch, 663 - 35th Street, Oakland, California, 94609, and [redacted]

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regarding the death of TIMOTHY CHARLES LEE. The letter stated the NAACP believes that LEE, a black male, was killed due to his race and sexual preference and requested an investigation into the death of LEE, which has been investigated and ruled a suicide by local authorities.

AT SAN FRANCISCO, CALIFORNIA:

On January 6, 1986, the following items were received via the U.S. mail by the Federal Bureau of Investigation, 450 Golden Gate Avenue, San Francisco, California:

1. An undated letter addressed to RICHARD HELD, FBI, San Francisco, concerning the death of TIMOTHY LEE and signed by [redacted]

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[redacted] National Association for the Advancement of Colored People (NAACP), which enclosed the following items:

2. A letter dated November 27, 1985, to [redacted]

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[redacted] Concord, regarding TIMOTHY LEE's death.

3. A copy of a check dated October 31, 1985, to TIMOTHY LEE from [redacted]

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4. A handwritten three page statement dated December 2, 1985, regarding TIMOTHY LEE, signed by [redacted]

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5. A typed statement signed by [redacted]

[redacted]
6. A typed letter dated December 1, 1985, and signed by [redacted] regarding TIMOTHY LEE.

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SF 44A-2373
RJH/bav

7. A typed letter dated December 2, 1985, signed
by regarding TIMOTHY LEE.

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The above-described items follow:

City of Concord

OFFICE OF CHIEF OF POLICE

November 27, 1985

[Redacted]

CITY COUNCIL

Ronald K. Mullin, Mayor
Colleen Colt, Vice Mayor
June V. Buiman
Diane Longshore
Stephen L. Weir

[Redacted]

National Association for the Advancement of Colored People
Oakland Branch
663 35th Street
Oakland, CA 94609

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Dear Sirs:

I received your letter yesterday requesting that the F.B.I. and the State Attorney General's Office investigate the circumstances surrounding the death of Timothy Lee. You indicated: 1) that the Lee family believes his death was due to race and sexual preference, and 2) that there have been numerous reports of racial intolerance and proof of KKK activity in the City of Concord. I have relayed your request to both the F.B.I. and the State Attorney General's Office, Department of Justice. I suggest that it would also be appropriate for you to make your request to them directly.

As you may or may not be aware, it is our considered opinion that Mr. Lee's death was a suicide and not connected in any manner with race or sexual preference. Furthermore, absent the repugnant behavior of the individuals involved in the post Halloween stabbing of two black males, the City of Concord has not in recent memory, experienced any pattern whatsoever of racial hostility or racially based violence. It should be noted that immediately after the stabbing incident and prior to the release of any information, the Concord Police Department requested that the F.B.I. review the assault closely and explore whether or not a civil rights violation had occurred. The status of the F.B.I.'s investigation has not, as yet, been revealed to us, nor has any evidence surfaced in the course of our investigation supportive of any organized KKK activity. Our position, however, is that all violations of civil rights should be pursued vigorously. As a matter of interest, the persons responsible for the stabbing have been held to answer in State Court for multiple felony violations.

Thank you for your interest.

Sincerely,

[Redacted signature block]

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December 1, 1985

To Whom this may concern:

The last day I saw Tim Lee was Friday November 1. His mood did not lead me to believe that he was in any way depressed or upset. To the contrary, he was talkative and jovial, as was usual for Tim.

During the course of the day we talked of what each of us would do that evening. He was looking forward to his weekend. That day we also talked about what Tim was doing in school. He told me that his portfolio review had gone very well and he would be working more on developing his own style.

Tim had such a good outlook on life and such a bright future ahead of him.

As we left at the end of the day and said good bye Tim said "See you Tuesday."



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SEARCHED _____	INDEXED _____
SERIALIZED _____	FILED _____
JAN 6 1986	
FBI - SAN FRANCISCO	

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 1/13/86

[redacted] Concord Police Department (CPD),
Concord, California, made available the following items:

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1. A copy of CPD Offense Report number 85-22679 and various supplements to that report concerning the handing death of Timothy Lee on November 2, 1985.
2. A copy of Contra Costa County Coroners report number 85-1073 concerning the death of TIMOTHY LEE and attached to that was a copy of the Coroner's report of autopsy on TIMOTHY LEE.
3. A copy of a report by the California Department of Justice, Division of Law Enforcement, Bureau of Forensic Services, case number Q-1166-5, a physical evidence examination report, concerning examination of the suicide note in the TIMOTHY LEE CASE.

Investigation on 1/6/86 at Concord, California File # SP44A-2373

by SA [redacted] /rh Date dictated 1/13/86

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This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 1/22/85

[redacted] Concord Police Department (CPD),
Concord, California, furnished the following items concerning the
investigation into the death of TIMOTHY LEE:

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1. A copy of a supplement to CPD report number
85-22679 regarding contact with Academy of Arts College, San
Francisco, California, regarding TIMOTHY LEE to determine if
he was the recipient of any scholarships.

2. A copy of a supplement to CPD report number
85-22679 regarding investigation concerning a payroll check
payable to TIMOTHY LEE and a copy of the search warrant to
obtain the records of a deposit to TIMOTHY LEE'S account with
Crocker National Bank, including a copy of bank records reflecting
receipt of the deposit.

[redacted] advised that an allegation had been
made that a payroll check payable to TIMOTHY LEE had been processed
by the bank on November 4, 1985, two days after LEE'S death, with
no endorsement by LEE on the check. He advised Crocker bank
records disclosed the check was processed by the bank on November
4, 1985 but had, in fact, been deposited in an automatic teller
machine on November 1, 1985, at 5:50 p.m., the day before LEE'S
death. He advised he executed a search warrant and obtained
bank records reflecting this information.

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Investigation on 1/15/86 at Concord, California File # SF44A-2373

by SA [redacted] /rh Date dictated 1/22/85

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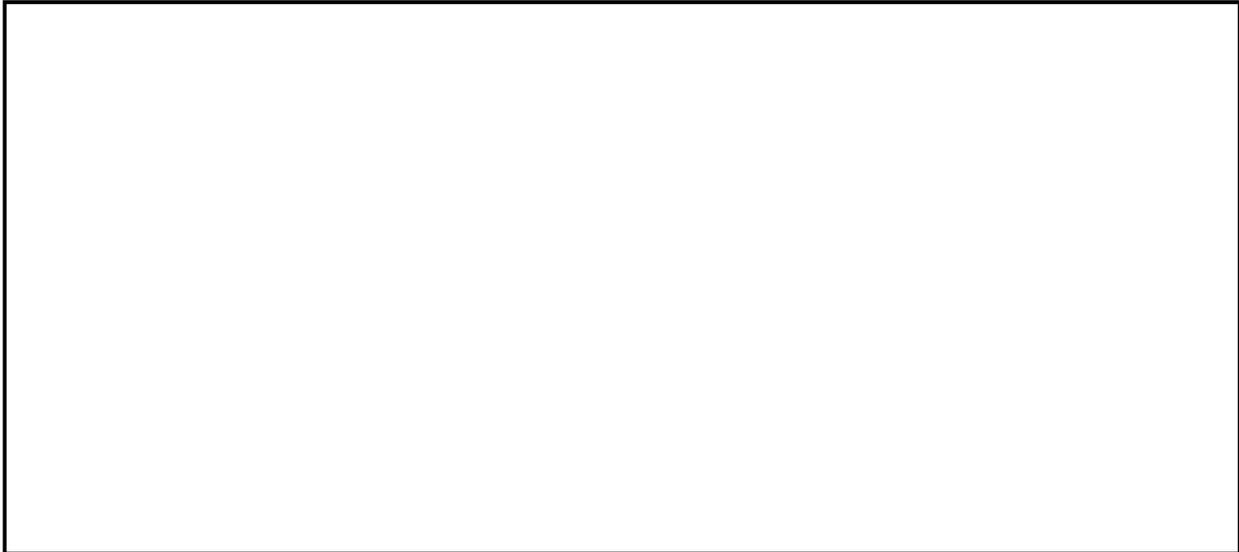
FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription 1/28/86

On January 17, 1986, IA checked the records of the Contra Costa County Sheriff's Office, Martinez, California, for any arrest record for

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Investigation on 1/17/86 at Martinez, California File # SF 44A-2373

by IA /bav Date dictated 1/22/86

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This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 1/14/86

On January 10, 1986, a letter dated January 7, 1986, addressed to FBI, 2520 Stanwell Drive, #270, Concord, California, 94524, and signed [redacted] was received at the above address.

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The letter contained signed statements by the above

[redacted]

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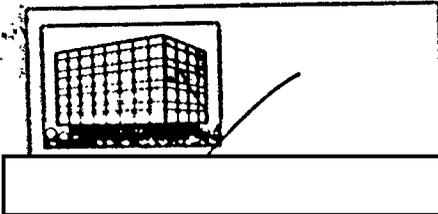
which they indicated might be related to the hanging death of TIMOTHY LEE on November 2, 1985.

Attached are copies of the letter and the statements that were enclosed:

Investigation on 1/10/85 at Concord, California File # SF 44A-2373

by SA [redacted] /rh Date dictated 1/14/86

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CERTIFIED MAIL
P 017 525 811



CLAIM CHECK NO.

834329

HOLD

DATE

JAN 10 1980

1ST NOTICE

2ND NOTICE

RETURN

Detached from
PS Form 3849-A
Oct. 1980

**RETURN RECEIPT
REQUESTED**

F. B. I.
2520 Stanwell Drive #270
Concord, Ca. 94524

6804

FIRST CLASS



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FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 2/7/86

[redacted] Concord Police Department
(CPD), Concord, California, advised that in regard to the

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[redacted]
[redacted]
that the CPD had conducted tests by having someone scream and yell in the vicinity of the Bay Area Rapid Transit (BART) parking lot and also in the vicinity of the nearby vacant lot where TIMOTHY LEE was found hanged and the sounds were not heard in the immediate vicinity of the residence where [redacted] and [redacted] reside. This was done on a Saturday morning at approximately 2:00 a.m., the same time and day of the week as LEE's death.

[redacted] advised he has recently been involved day and night in the investigation of a triple homicide which occurred in Concord and has not yet prepared a written supplemental report on the above but would do so in the near future.

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Investigation on 2/3/86 at Concord, California File # SF 44A-2373

by SA [redacted] /bav Date dictated 2/7/86

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SF 44A-2373
RJH/bav

NOTIFICATION LIST:



c/o National Association for the Advancement
of Colored People
663 - 35th Street
Oakland, California 94609

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 2/19/86

On February 14, 1986, a letter addressed to "Agent [redacted] FBI, 2520 Stanwell, Suite 270, Concord, Ca. 94520" was received at the Concord Resident Agency of the Federal Bureau of Investigation from [redacted]

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The letter stated that in an effort to help investigate the death of TIMOTHY LEE in Concord, she was enclosing additional [redacted]

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Also enclosed was a copy of a previous statement dated January 6, 1986, which she had previously furnished to the FBI.

Copies of the above described items are attached as additional pages of this FD-302 as follows:

Investigation on 2/14/86 at Concord, California File # SF 44A-2373-11
by SA [redacted] rh Date dictated 2/19/86

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Agent 
FBI
2520 Stanwell
Suite 270
Concord, CA 94520

Dear Agent 

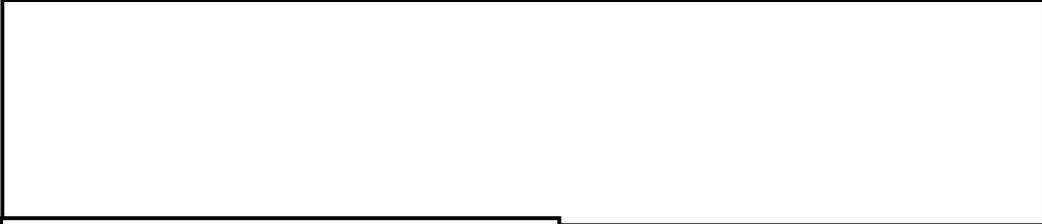
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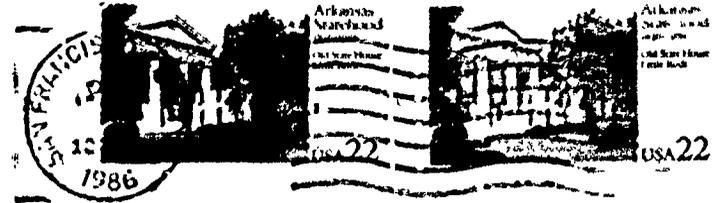
In an effort to help investigate the death of Timothy Lee in Concord, I am enclosing additional testimony.

If you have questions I can be reached at work at 

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Sincerely,


 Concord Police Dept.



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Agent
FBI
2520 Stanwell
Suite 270
Concord, CA 94520





National Association for the Advancement of Colored People

OAKLAND BRANCH

663 - 35th STREET, OAKLAND, CA 94609

PHONE 652-8493

January 9, 1986

Richard Held
Director of F.B.I.
450 Golden Gate Avenue
San Francisco, CA 94102

Re: Death of Timothy Lee

Dear Mr. Held:

Enclosed herewith please find copy of letter addressed [redacted]

[redacted]

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This information was hand delivered by [redacted] on January 8, 1986 at the NAACP office at 663 - 35th Street, Oakland, CA.

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I have enclosed this information for your investigation in the Timothy Lee case.

[redacted]

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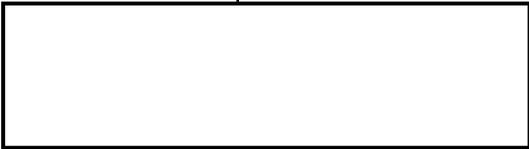
Contact person in this matter is [redacted] at the above number.

ICF/vr

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JAN 13 1986	
[redacted]	CISCO <i>TRJN</i>

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44A-2373-12



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NAACP
663 35th Street
Oakland, CA 94609

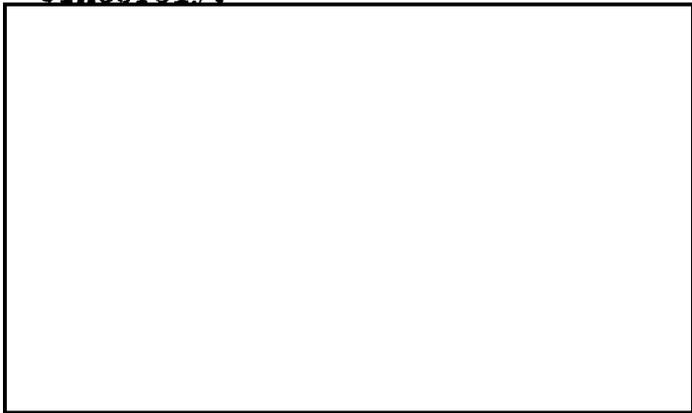
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Dear 

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We are enclosing 2 copies of the 2 affidavits which we are sending to the FBI. We wish the best to you in your efforts to see that justice is done in this matter. Please call us if there is anything we can do.

Sincerely,



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RECEIVED JAN 3 1986

Re: Timothy Lee

CERTIFIED



National Association
for the Advancement
of Colored People

OAKLAND BRANCH
P. O. BOX 10328
OAKLAND, CA. 94610

CLAIM CHECK
NO.
626246

P 235 750 051

MAIL



HOLD

DATE

Richard Held Director F.B.I.
50 Golden Gate
San Francisco, Ca. 94102

1ST NOTICE

2ND NOTICE

RETURN

**RETURN RECEIPT
REQUESTED**

PERSONAL AND

Detached from
PS Form 3849-A
Oct. 1980

DELIVERED
PSFO
Richard Held

**RETURN RECEIPT
REQUESTED**

44A-2373-13

SEARCHED	INDEXED
SERIALIZED	FILED
JAN - 6 1986	
FBI - SAN FRANCISCO	
[Signature]	

(Mount Clipping in Space Below)

NAACP task force focuses on Concord

CONCORD — Northern California NAACP leaders have established an Intolerance Task Force that will make the Concord area and the Timothy Lee hanging its first priority, a spokeswoman said Tuesday.

Thordie Ashley of the Emeryville NAACP said the group believes the existence of a task force will encourage people to come forward with information about the Lee case or other racial incidents, including Ku Klux Klan activity.

"We have reason to believe there is an organized group," said Ashley, noting that modern Klan members are "Brooks Brothers-wearing people. They don't run around in costumes."

But Ashley refused to reveal any evidence of KKK activity, saying it might hinder law enforcement or the task force investigation.

Concord Mayor Ron Mullin said he and other city officials are frustrated because they can't investigate any of the NAACP's allegations. He said the NAACP won't provide any facts about allegations of KKK activity, or back up a statement that 30 Concord residents had reported racial incidents to the NAACP.

A former police officer, Mullin said he's looked at all the evidence in the Lee case and can't find an indication of foul play.

"They are making statements, some of which are outlandish, about our community and I don't appreciate that," said Mullin, noting that criticism has come from Oakland and Emeryville.

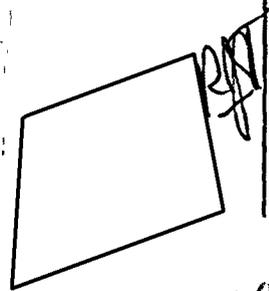
(Indicate page, name of newspaper, city and state.)

Page 4A
CONTRA COSTA
TIMES
WAINAT CREEK,
CALIFORNIA

Date: 1/17/86
Edition:

Title:

Character: 44A
or
Classification:
Submitting Office:



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FBI/DOJ

44A-2373-28

SEARCHED	INDEXED
SERIALIZED	FILED
JAN 6 1986	
FBI - SAN FRANCISCO	
	IKJH

44A-2373-26

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(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state.)
Page 12A
CONTRA COSTA TIMES
WALNUT CREEK, CA
Date: 2/2/86
Edition:

Title:

Character:

or

Classification: 44A

Submitting Office:

Timetable of his last day alive

Lee was happy, co-workers say

By Mary McGrath

"I'll find a way home no matter what. I'll see you in the morning," Tim Lee said to his roommate Russell Wright at 1:30 a.m. Nov. 2.

Those were the last words anyone is known to have heard Timothy Lee speak.

Using written statements and interviews, the Contra Costa Times has pieced together the 24 hours preceding his death. Some of the times are approximate. Lee's whereabouts and activities between 8 p.m. and 1:13 a.m. remain a mystery.

7:30 a.m.: One of Lee's roommates in Berkeley, Russell Wright, overheard Lee singing in the bath room. Lee was late that morning and rushed around.

8:30 a.m.: Lee boarded BART in Berkeley and headed for his job at Judith Kindler Textiles, a small manufacturing firm on Utah Street in the Potrero district of San Francisco.

9 a.m.: Lee arrived at the renovated warehouse, where bolts of fabric unrolled on long white tables are painted by workers. Co-workers said Lee worked all morning at some of his regular tasks, painting fabric, mixing paints, receiving orders and running errands.

Noon: Lee drove with the company's manager, Ann, to get some fabrics heat set at Pandemonium, where a new store outlet was opening.

Ann said Lee was in jolly spirits all day and the pair joked about wanting to buy the hand-made baskets and dyed T-shirts at the new store.

Quintana about his plans for the weekend.

"He seemed to be looking forward to the weekend. He talked about his options, whether to see some friends or to go out," Quintana said.

5 p.m.: The textile workers left together. Lee walked away alone, almost skipping and waved goodbye. "See you Tuesday," he called out. He did not work on Monday.

6 p.m.: According to Della Eum, Lee's sister, Lee met that evening with some men who were considering purchasing a textile line he hoped to design.

1:13 a.m. Saturday: Joyce Carter, of El Cerrito, received a call from Lee, who was a friend of her daughter, Karen.

Lee asked to speak to Karen, who was not home. He said, "Mrs. Carter, this is Timmy. I fell asleep on BART and I'm in Concord and the BART station is closing. I can't go home. I need a ride home. I may have to get a room and it's cold."

Carter asked Lee for the pay phone number. She called him right back and address had found his

daughter's address book containing Wright's number.

"You know that's my house," Lee told her.

Carter called Wright and said Lee was stranded. Wright does not own a car but put Lee on hold while he called friends in the area.

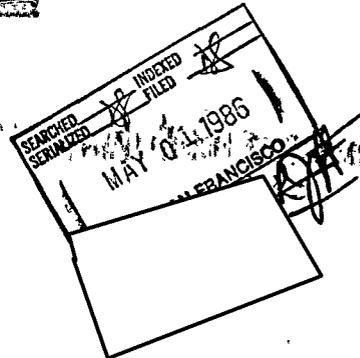
Wright told Lee she would call him back but she never did. Lee was found

1:00 a.m.: Lee told Wright he would get home somehow.

Carter decided to call Lee back to see whether he found a ride. Her sister lives in Concord and would have picked him up, she said.

But when she called the pay phone, there was no answer.

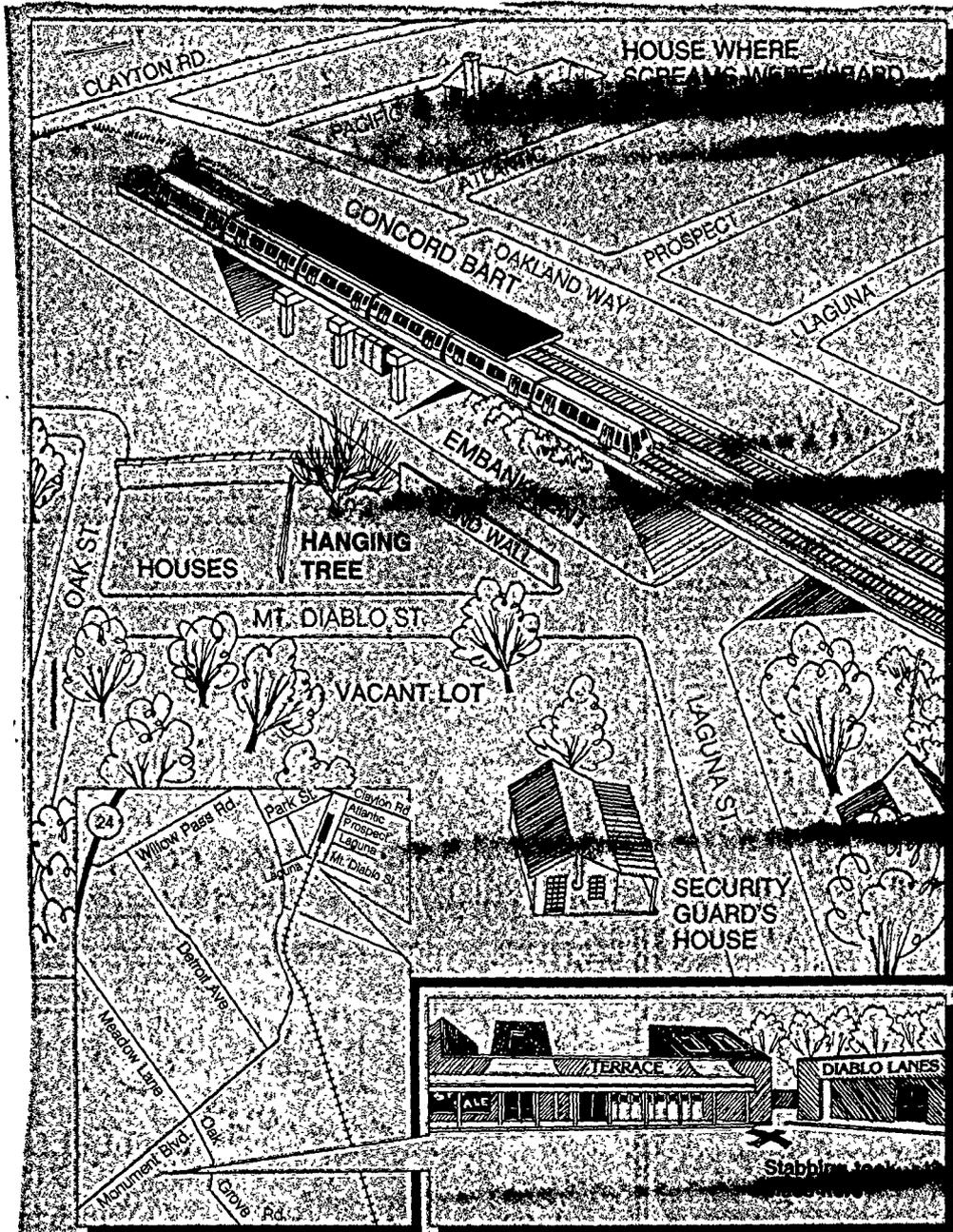
Eleven hours later, Lee was found hanged in a fig tree near the Concord BART station.



44A-2373-30

FBI/DOJ

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WHAT HAPPENED NOV. 1 AND 2 IN CONCORD: Timothy Lee, stranded at the Concord BART station early Nov. 2, disappears from sight and is found hanging in a fig tree off Mt. Diablo Street in the afternoon by a security guard who lives in a house across the street. Later, a couple living in the house on Atlantic Street on the opposite side of the BART station will say they heard screams the night Lee died. Residents in the houses adjacent to the lot will say they heard nothing. Hours before Lee came to Concord, two black men allegedly were accosted and stabbed by two white men wearing what appeared to be Ku Klux Klan robes (see insets). One of the men pleaded guilty, the other is facing trial.

(Indicate page, name of newspaper, city and state.) Page 12A
 CONTRA COSTA TIMES
 WALNUT, CREEK, CA
 Date: 2/2/86
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Submitting Office: SF

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Counselor 'has no doubt' that Lee committed suicide

PLEASANT HILL — "I have no doubt that Timothy Lee committed suicide," said Pleasant Breed, grief counseling coordinator of Contra Costa Crisis and Suicide Intervention Service, Friday.

"There's no evidence to believe otherwise," she said.

Breed, who reviewed the case for her agency, said people tend to believe only losers commit suicide, but that is not borne out by statistics. She said a person doesn't have to

be chronically depressed to commit suicide.

"Persons who seem to have everything going for them take their own lives."

"Sometimes it comes out of nowhere. It's hard for families and friends to accept that their loved one chose to end his life."

Lee, a 23-year-old fashion design student from Berkeley, was in the critical age group, according to Breed. She said statistics show that

males between the ages of 20 and 25 have higher suicide rates than people of other ages.

The suicide rate is higher in this age group because this is the time people leave home and go out on their own to start their lives.

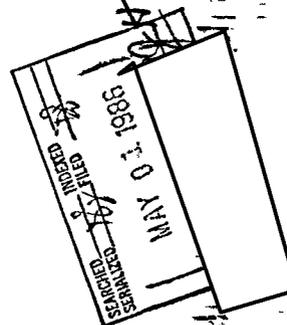
"Great expectations are put on them."

It is also known that alcohol can be a factor in suicides, she said. "We do find that when a person is drunk, he is more depressed. The

euphoria wears off quickly. Then what you have is impaired judgment."

She said people under the influence of alcohol can't think clearly and are more likely to act on impulse.

An autopsy revealed that Lee had an alcohol level of .13 percent at the time of his death. Under California law, a person is considered drunk when he has an alcohol level of .10 percent.



FBI/DOJ

44A-2373-31

Coroner thinks all the evidence points to suicide

By Erin Hallissy
Staff writer

MARTINEZ — As far as the County Coroner is concerned, Timothy Lee was the victim of suicide and not foul play.

Capt. Al Moore, who heads the coroner's division of the Sheriff's Department, said last week that he is standing by his original finding that the 23-year-old Berkeley man killed himself by hanging in a fig tree.

The case is closed, Moore said, and unless new information is brought to him, he doesn't intend to reopen the investigation.

"I have gotten, at this point, nothing to change my mind," Moore said. "The evidence that we have doesn't point to anything but suicide."

The NAACP alleges that Lee, who was black and homosexual, was murdered on Nov. 2. The FBI has stepped in to investigate the case for racial overtones or civil rights violations.

Neither organization has contacted him, Moore said.

According to autopsy reports, Lee was found hanging from a nylon strap tied around a limb of the fig tree at 12:36 p.m. on Nov. 2.

Moore said there's no way to estimate the time of Lee's death, except that he had been dead for several hours and rigor mortis had already set in. There are too many variables, including a person's weight, size, health and environmental factors such as temperature, to be more specific in setting times of death, according to Moore.

I think it was a spontaneous kind of thing. He was placed in a bad psychological position.

— Capt. Al Moore

Three other Bay Area coroners confirmed that setting the time of death is an inexact art.

Concord police officers first decided to process the case as a "suspicious, possible homicide," the autopsy report says. But later, after finding what appeared to be a suicide note, they reclassified it a self-inflicted hanging.

Dr. Louis Daugherty, the pathologist who performed the autopsy, listed the cause of death as neck compression due to hanging.

Lee strangled, Moore said. Although Lee's family has said the fact that Lee's neck wasn't broken makes it seem like a murder, Moore said this is actually more consistent with suicide.

"If he had a broken neck in that situation, that would be more unusual," Moore said, adding that the force necessary to cause a broken neck in hanging usually requires a long fall such as jumping off a balcony. The strap Lee was hanging from was only about 16 inches long, he said.

There were no signs of a struggle, Moore said, which supports the theory that Lee was not murdered. No bruises were found, except around the neck, where the strap was tied. "I would expect to find something else if anyone hanged

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WAINUT CREEK, CA
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Submitting Office: SF

Lee possibly, Moore said. Biting ants were found on the body. There were marks found on the body, but there were no other signs of trauma, according to the coroner's report. Lee's family contends that the marks were cigarette burns. Moore said the marks were ant bites.

Lee's stepmother, Elizabeth Casey of Oakland, said the family delayed the burial, hoping to have a second autopsy performed. But they were told Lee had been embalmed and the second study could not be done.

Despite claims that Lee was happy and non-suicidal, Moore said that the young man, finding himself in an unfamiliar place late at night with no friends to take him home, could become suicidal. "I think it was a spontaneous kind of thing," Moore said. "He was placed in a bad psychological position. He was in a strange place."

Lee had a blood alcohol level of .13, according to the autopsy. People are considered too drunk to drive when they have a level of .10 or above. The alcohol could have contributed to mistakes in the suicide note that were found at the scene, Moore said.

The family has been critical of the Coroner's Office because it threw away the strap used as a noose. Moore said the strap was thrown away because it wasn't considered of emotional or monetary value to the family. The coroner's office has changed its policy about such evidence and will keep it for at least a few weeks after an apparent suicide.

"I think the family feels badly about the loss of a loved one and they are unwilling to accept suicide as a possibility," Moore said.

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Civil rights claim filed by family of Timothy Lee

By Erin Hallissy

Staff writer

MARTINEZ — The sister and stepmother of Timothy Lee, who was found dead near the Concord BART station Nov. 2, filed a \$100,000 claim against the county Friday alleging Lee's civil rights had been violated.

Lee's death by hanging officially was called a suicide by the Concord police and the Coroner's Office, but his family and friends say he must have been murdered.

The claim, which must be filed and rejected before a lawsuit can be brought, also says the City of Concord and the Bay Area Transit System violated Lee's civil rights.

Filed by Lee's sister, Tammy, and stepmother, Elizabeth Casey, the claim says that both Concord and the county violated Lee's civil rights by "intentionally performing an inadequate and wholly unreasonable investigation."

The claim also says that in performing the investigations, the Concord police, the Sheriff's Department and the Coroner's Office "concealed evidence from the family, refused to answer inquiries by the family and destroyed critical evidence."

It also claims the coroner did not

establish a time of death or give an

said in previous interviews that there are no accurate ways of determining times of death.

Martha Whittaker, assistant attorney for Concord, said she couldn't comment on the claim because she hadn't seen it yet and said it had not been filed in city offices.

However, Whittaker denied that police botched the investigation.

"I think the Police Department did a full and thorough investigation and their usual, excellent job of investigating it."

Representatives from the County Counsel's Office and BART also declined to comment because they have not yet seen the claim.

Lee, a 23-year-old aspiring fashion designer from Berkeley, had fallen asleep on a BART train and missed his Berkeley station. He woke up at the end of the line in Concord where he called a friend at home.

Lee was unable to obtain a ride home and he was found dead hanging from a fig tree near the station later that day.

(Indicate page, name of newspaper, city and state.)

Page 3A
CONTRA COSTA
TIMES
WALNUT CREEK
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Submitting Office: SAN FRANCISCO

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NAACP asks FBI to investigate hanging

CONCORD (AP) — The NAACP wants the FBI to investigate the death of a black man found hanging from a tree near the Concord station, although police concluded Timothy Lee killed himself.

"This so-called suicide remains a mystery, so far as we're concerned," NAACP spokeswoman Gordie Ashley said Friday. "The NAACP has reason to think Lee's death was due to his race and prejudice."

Lee, a 23-year-old Berkeley resident and student at the San Francisco Art Institute, was found near the BART station Nov. 2. A suicide note was found near his body.

NAACP leaders from Oakland and Emeryville announced their FBI request at a news conference Friday.

"From the evidence we see, there appears to have been foul play," said Oscar C. Wright, president of the Emeryville NAACP.

Concord police Lt. Al Jordan said a state handwriting expert concluded Lee wrote the suicide message. But Jordan said he was unaware of the NAACP's report Friday that Lee's \$197 paycheck had been cashed two days after Lee's death.

"If it's true, I'm surprised that Lee's employer did not contact us,"

he said. Crocker National Bank processed the check without Lee's endorsement, said Ashley.

Bank spokeswoman Jana Reese said she isn't aware of any illegal activities in connection with the transaction, and said a clerical error could have let the check go through without Lee's signature.

(Indicate page, name of newspaper, city and state.)

Page 5A

CONTRA COSTA

TIMES

WALNUT CREEK
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Date: 1-8-86
Edition: 6 Star
5 S.F. Chronicle
San Francisco, Ca.

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Submitting Office: SF

Indexing:

FBI to Probe Hanging Of a Black in Concord

By Michael Taylor

The FBI said yesterday it has begun an investigation into the hanging death of a young black man in Concord, but the local police chief said it would be "a waste of time."

FBI spokesman John Holford said the agency will try to determine if the civil rights of Timothy Lee, 23, were violated. Lee was found hanging from a tree near the Concord BART station November 2.

Holford said the probe was started after the FBI received a letter from the NAACP which questioned the circumstances under which Lee died.

"By law," Holford said, "we are bound to investigate this."

Since the apparent suicide, family members have charged that Lee's suicide note was forged. State handwriting experts concluded Lee wrote the note.

At a press conference yesterday, an admittedly angry Concord Police Chief George Straka lashed out at press stories that took issue with Lee's apparent suicide, saying this diminished the community's respect for his department and will inhibit citizens from giving the police information on crimes.

Point by point, he covered the major allegations raised by Lee's family and friends. He said:

■ Lee's payroll check that was mysteriously cashed two days after

his death was actually deposited in an automatic teller machine at Lee's bank on a Friday, the day before he died, but was not posted to his account until the following Monday.

■ Although friends said Lee was happy and would have no reason to kill himself, police officers who interviewed those friends were told Lee had discussed committing suicide and had said he would commit suicide if he had a terminal illness. There was no evidence that he was terminally ill.

■ County suicide prevention officials said Lee fit their "highest profile" of a suicide candidate: a person who is black, gay and in his early 20s.

■ Lee died from strangulation, not a broken neck. The latter is consistent with violence inflicted by someone else. Strangulation is consistent with suicide.

■ Marks on Lee's body were not cigaret burns. They were insect bites.

Straka said Lee had .13 blood alcohol level, which means "he was at least intoxicated."

Lee's sister, Tammy, said her brother would be "the last person to commit suicide." "I don't believe they (the police) investigated this," she said.

"And there weren't bites," she said. "I saw the body."

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Concord police firm on suicide in hanging case

By **Par...**
Staff writer

CONCORD — The NAACP is undermining the reputation of Concord police by making "unfounded allegations" that police botched their investigation into the hanging death of a Berkeley man, Police Chief George Straka said Tuesday.



Timothy Lee ... died Nov. 2

"You can deal with allegations or facts, and we deal with facts."

The chief had called a press conference on the death of Timothy Lee, a 23-year-old black fashion design student, who was found hanging near the Concord BART station Nov. 2.

Straka made public bank records, secured with a search warrant earlier in the day, which showed Lee's last payroll check was deposited in his account the day before his body was found hanging in a fig tree.

The \$197.49 check, the NAACP said it had been processed two days after Lee died, on Nov. 4, by Crocker Bank in San Francisco. The NAACP asked the FBI to step in and conduct an investigation into Lee's death, saying that "the NAACP has reason to believe that Lee was killed due to race

Please see LEE, Page 12A

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Page 12A

CONTRA COSTA TIMES

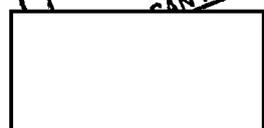
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LEE

From Page 1A

and sexual preference.

Police Tuesday produced photocopies of Lee's bank accounts showing that the check was deposited in an automated teller machine at 5:49 p.m. on Nov. 1. One minute later, \$20 in cash was withdrawn from the same account at the same ATM, located on 16th and Mission streets in San Francisco.

Lee died at about 6 a.m. on Nov. 2, according to the Contra Costa County Coroner's Office, and his body was discovered at about 12:30 p.m.

According to bank records, Lee's account showed a balance of \$192.49 at the end of November.

Straka said Tuesday that police stood behind their original conclusion that Lee committed suicide, adding that Lee had apparently been drinking heavily the night he died.

An autopsy revealed that Lee had an alcohol level of .13 percent at the time of his death. Under California law, a person is considered drunk when he has an alcohol level of .10 percent.

Thord Ashley, secretary of the Emeryville NAACP chapter, said

Lee didn't commit suicide.

Ashley said she is unconvinced by Concord police's case, adding, "It appears that there was a very, very hasty investigation" after Lee's death.

She said there are still "many discrepancies" in the Lee case.

The NAACP and Lee's friends and relatives have insisted that the suicide doesn't "add up" because he had "everything going for him."

from the tree where he was found hanging, which police concede they can not explain.

Straka said he fears the NAACP's allegation would lead the city's minority population to distrust police.

Straka said Concord police will not tolerate any violence against the city's minority residents, who make up 1.9 percent of Concord's population.

But Straka said the NAACP alle-

that Concord is a community of violence, and it is not.

"Unfounded allegations could pro- duce a rift between the minority population and the police," he said.

"We have a reputation in this community and it has been pretty good," he said.

In the press conference Tuesday, Straka disputed each of the points raised by the NAACP and Lee's family and friends, who have said he had "everything going for him" and had no reason to commit suicide.

(Indicate page, name of newspaper, city and state.)

The Tribune

OAKLAND, CALIFORNIA

Date: 1/8/86

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FBI/DOJ

44A-2373-37

Angry police chief defends probe of black man's death

By Carolyn Newbergh
The Tribune

CONCORD — A visibly frustrated Police Chief George Straka said yesterday that continuing questions into the hanging death of a black student here last November unfairly paint this city as racist and violent and are leading to additional problems.

"I guess I am angry," Straka told a press conference. "We have had a community that has not necessarily had many racial incidents and we have a reputation for actively pursuing investigations."

Timothy Lee, 23, a fashion-design student living in Berkeley, was found hanged at the Concord BART station Nov. 2, just hours after two black men were stabbed by two white men dressed in Ku Klux Klan robes in a bar parking lot elsewhere in the city.

Police called Lee's death a suicide, but his family has never believed that, saying he had no reason to be suicidal. The Federal Bureau of Investigation, at the request of the National Association for the Advancement of Colored People, decided yesterday to investigate.

FBI press spokesman John F. Holford said the investigation is to learn if there has been a civil-rights statute violation.

Lee's death will also be discussed at a special meeting next week of 22 Northern California chapters of the FBI.

Straka said continuing allegations about his department's investigation, and whether Concord is unusually racist or violent probably explain the latest racist incident here. Last week, the Ku Klux Klan symbol was painted on Oakmead Road.

"We don't know how to shut this thing down," Straka said.

"When something gets a lot of publicity like this, it may be a signal to people who support this type of activity to come out of the woodwork."

The two November incidents and continuing questions have led to another kind of fallout for this city that is getting a sizeable chunk of the San Francisco office exodus. Straka said he was told that women employees of Wells Fargo Bank who were scheduled to be transferred to a Concord Avenue office building were worried about the reports of crime here.

But he said his biggest fear is that because of "allegations" that the Concord police didn't conduct a thorough investigation, citizens will stop reporting evidence, information or crimes because they could lose confidence in a police force unfairly getting a reputation for inadequate investigations.

Straka said he called the press conference so that he could release all the evidence his department has collected to demonstrate why it concluded Lee took his own life and the case is closed. He was flanked by two police investigators.

The NAACP said last week that a paycheck of Lee's had been cashed after his death, which would support the theory that someone else had killed him.

But Straka furnished a statement from the Crocker Bank's Market Street branch in San Francisco showing Lee's \$197.49 paycheck was deposited the night before he died, although he did not endorse it.

Straka also revealed Lee's blood alcohol level at the time of death was .13. He said that could be fairly high for Lee, who weighed 142 pounds, and that alcohol acts as a depressant.

He said that while a close

friend, Robin Davis, had told the press that Lee had every reason to want to live, Davis told police Lee had talked about ending his life if he were terminally ill.

Straka said the only medical condition Lee was known to have was a hernia.

Police couldn't learn if Lee, who was homosexual, might have had AIDS because his blood was too chilled to be tested, Straka said. In addition, he said AIDS services in San Francisco wouldn't reveal if they knew Lee had the deadly disease because that information is kept confidential.

Straka said that if Lee had died violently at someone else's hand his neck would probably have been broken, which it was not. And Straka said Lee would have had more serious wounds

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Chief

Continued from Page B-1

had he been forced to fight off an attacker.

He added that while press accounts have said Lee had gotten a scholarship for schooling, police found that to be untrue.

Straka also said Contra Costa Suicide Intervention and UC-Berkeley professor Robert Seidien, an expert on suicide, said Lee fit a profile for suicide victims.

Straka also displayed photo-

graphs of Lee, dressed all in blue, hanging from the fig tree. Straka pointed to places on a limb where bark had come off and bark that stuck to Lee's skin. He said that indicated Lee probably shimmied up the tree.

The police chief also said Concord is second lowest among cities its size in violent crimes. He added that a city commission has charged a subcommittee with looking into race relations in Concord.

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Date: 1-7-86
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B-4 S.F. Examiner
San Francisco, Ca.

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Submitting Office: SF

Indexing

Foul play suspected in 'suicide'

Man found hanged in Concord, but family says he wasn't type to kill self

By Lon Daniels
OF THE EXAMINER STAFF

CONCORD — Police said they will start an investigation today of a payroll check belonging to a presumed suicide victim that was deposited at a bank — two days after the victim died.

Relatives of the victim, Timothy Lee, 23, hope the investigation will lead to proof that Lee died of foul play and not suicide, as police had ruled.

The family doesn't believe that he killed himself. Lee's sister Tammy said yesterday.

Lee was found hanging from a tree near a Concord BART station Nov. 2. Police said a suicide note was found near the body and that a handwriting expert concluded the note was written by Lee.

But Lee's relatives have main-

tained that Lee, a student at the San Francisco Art Institute and the recent recipient of a scholarship to study fashion design in Italy, was not the type to kill himself.

Thordie Ashley, a spokeswoman from the National Association for the Advancement of Colored People, said that the "openly gay" Lee, who lived in Berkeley, may have been victimized because of his sexual orientation and his race. Lee was black.

Tammy Lee said the family was notified about three weeks ago about the deposit of the unendorsed check by her brother's employer, Judith Kindler Textile Designs of San Francisco.

Tammy Lee said her brother had shown no signs of depression in the days before his death.

Concord police Lt. Al Jordan said his office was unaware of the check deposit until Friday, when it

was revealed during a news conference.

Jordan said that while the death remains officially listed as suicide, detectives are eager to find out how the check could have been deposited in the Concord account.

asked to investigate the death.

She said she mailed a letter Dec. 27 to the bureau requesting that it conduct an investigation, but she has not received a response.

Ashley and family members said they were concerned that racially motivated foul play could have figured in Lee's death because of an incident in Concord that same day.

In that incident, two black men were allegedly stabbed by two Caucasians while they were in costumes.

The two suspects, however, have said their costumes had to do with Halloween and not racial hatred.

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NAACP strengthens call for Concord death probe

By Sandy Kleffman
Staff writer

CONCORD — The NAACP is calling a conference of all 22 Northern California chapters to discuss the death of a black man found hanging near the Concord BART station in November.

Thordie Ashley, secretary of the Emeryville NAACP chapter, said the conference could be held as early as next weekend.

"I'm asking for the support of all the branches so that we will get a full-scale investigation," Ashley said Monday. "I have reason to believe that the boy's death was racially motivated."

The NAACP last week asked the FBI to step into the case after the group learned that a \$197.49 payroll check belonging to the dead man, 23-year-old Timothy Lee of Berkeley, was cashed two days after his death.

Concord police, unaware of the payroll check, had concluded that Lee took his own life. A suicide note was found near his body and state

Department of Justice forensic experts determined he wrote it.

Concord police contacted Crocker and were told that Lee had an automatic teller account and a checking account, according to L. Al Jordan.

The bank, however, said it had to be served a court order before it would release any details. Jordan said a search warrant would be served today.

The check was processed by the bank without being endorsed. Jordan said "you wouldn't need an endorsement if you placed the payroll check into an automatic teller account."

Lee's family learned about the check from his employer, Judith Kindler Textiles.

"We thought it's something that should be looked into," Kindler said. "I don't know if it was actually deposited (in his account) or if somebody cashed it."

Kindler said Lee was given the check on Thursday, but apparently

Please see LEE, Page 5A

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— CONTRA COSTA
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— WAINWIT CREEK,
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LEE

From Page 1A

didn't cash it that pay stubs & check show up on Friday's records.

Lee's body was found at 12:36 p.m. on Saturday, Nov. 2. Police say he reportedly fell asleep on a BART train and woke up at the end of the line in Concord. He called several friends, but was unable to get a ride home.

John Holford, spokesman for the FBI in San Francisco, said the FBI will conduct a preliminary inquiry to see what facts we have in the case and then bring the case to the U.S. Attorney's Office.

But the FBI withheld any official response until it receives the NAACP letter.

The letter gives three reasons in addition to the payroll check indicating why the NAACP believes an investigation is of "paramount importance."

- The coroner's office destroyed the backpack strap found around Lee's neck. A coroner's office spokesman said in November there was no reason to keep it since no crime was involved.

Lee's sister, Tammy, said when she went to view the body she noted that the strap was different from the one Lee had on his backback, which she remembers as being nylon and about two inches wide. The one around his neck was cotton and only half an inch wide, she said.

Ashley questioned why no fingerprints were taken from the strap.

- Statements from people who talked to Lee the morning of his death. Ashley, who conducted a three-week investigation for the NAACP, said the people Lee called to get a ride home said he was in "good spirits."

"He was the type of person that had just got what he always wanted in life and that was to go to school," said his stepmother, Mary Casey of Oakland. She said Lee had just received a scholarship to study fashion design in Milan, Italy.

Diane Quintana, who worked with Lee the day before his death, described him as "happy, cheerful and talkative."

- A stabbing in Concord that same night, when two white men wearing Ku Klux Klan costumes reportedly attacked two black men near a bar on Monument Boulevard.

Ashley said one of the reasons the NAACP believes Lee's death may be racially motivated is that the

NAACP has received 30 complaints of racial incidents in the Concord area in the past 10 months.

- These include racial slurs, demands to get out of town and spotlights flashed on people's houses late at night, she said.

Ashley added that Lee's sexual preference may have been a factor since he was openly gay.

The Concord Community Services Commission

er there is a need to revive the city's Human Rights Commission, which handled discrimination complaints.

Lee's stepmother and sister give other reasons as to why they believe he was killed, including:

- The suicide note, which was addressed to "Tami and Tom" and said simply "I love you. Sorry." The correct spelling is "Tammy," and Lee always said "Tommy," not "Tom," they said.

- His neck wasn't broken.

- His wallet was found several feet away from his body near a fence.

- He had marks on his arms and stomach that Tammy said coroner's officials indicated were ant bites, but she said looked more like burn marks.

(Indicate page, name of newspaper, city and state.)

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TIMES

WALNUT CREEK,

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FBI - SAN FRANCISCO
COMMUNICATIONS SECTION

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FBI will begin probe into Concord hanging death

By Per Mansson
Staff writer

SAN FRANCISCO — At the request of the NAACP, the FBI will begin an investigation into the hanging death of a 23-year-old Berkeley man in Concord.

John Holford, spokesman for the Federal Bureau of Investigation, said Wednesday that agents will probe whether any civil rights violations were involved in the death of Timothy Lee, a black fashion designer who was found hanging from a fig tree near the Concord BART

station on Nov. 2. Concord police and the county Coroner's Office have concluded that Lee committed suicide about 6 a.m. after drinking heavily.

Lee's family and friends, however, have insisted that Lee had too much going for him to kill himself.

The FBI decided to enter the case, said Holford, after receiving a letter from the NAACP on Monday asking the FBI "to find the real cause of Lee's death."

"The NAACP has reason to believe that Lee was killed due to race

and sexual preference," said the letter from Carlton Faulk, president of the Oakland NAACP chapter, and Oscar C. Wright, who heads the Emeryville chapter.

Lee, who was openly gay, was stranded in Concord after he fell asleep on the last BART train of the night on Nov. 2, his friends said.

Concord Police Chief George Straka said Tuesday he was "angered" by the NAACP's allegations that Concord police have fumbled their investigation into Lee's death. Holford said FBI agents will re-

quest police and coroner's reports and interview any witnesses "to determine if there has been a violation of civil rights."

"We want to find out if he was killed because he was black," said Holford.

The FBI is already conducting a similar civil rights investigation into the stabbing early Nov. 2, of two black men by two white men in KuKlux Klan costumes. The latter two, Charles Gallant, 21, a former resident of Concord, and George Victor Harless, 19, of Concord, said

the robes were Halloween costumes. They also said the two black men started the fight outside a Concord bar on Monument Boulevard.

Concord police said they knew of no KKK activity in their city.

The two men were arrested several hours before police said Lee died, and detectives maintain the two incidents are not connected.

Both Gallant and Harless are being held in County Jail on one count each of attempted murder. Gallant is being held on \$20,000 bail and Harless on \$10,000 bail.

FBI/DOJ (Rev. 10-19-87)

(Indicate page, name of newspaper, city and state.)

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Kin dispute 'suicide' of designer

By Candy J. Cooper
OF THE EXAMINER STAFF

BERKELEY - The suicide note, misspelled and nearly illegible and not anything like his son's handwriting, has stuck in the mind of Timothy Lee's father.

Why, he wonders, would a 23-year-old fashion designer with a bright future who had won a scholarship to study in Italy kill himself, as Concord police maintain.

His family and friends believe that Lee, black and apparently gay, may have been murdered because he wound up in the wrong middle-class suburb.

According to investigators, Lee fell asleep on a BART train on his way home to Berkeley last Saturday night. Instead of getting off at Berkeley, he was awakened by a trainman at the end of the line in Concord.

Then the young student, apparently fashioned a noose out of a nylon strap, attached the strap to a limb of a fig tree and slipped the noose around his neck before sliding from a lower limb to his hanging death near the Concord BART station, police say.

Timothy Lee would never have done that, his family and friends claim.

There's something missing, said Lee's father, Robert Lee, who paced around several flower sprays in an East Oakland living room yesterday. "There just seems to be something missing."

Timothy Lee's body has not been buried because his family says they may conduct an independent autopsy. They have talked with an attorney about reopening the case.

They wonder about the fact that Lee's death occurred the same night that two other young black

men were stabbed in Concord two miles from where Lee's body was found -- by two men who wore white robes bearing the signs of the Ku Klux Klan.

The FBI is investigating the slayings. "I am convinced there is no connection between the stabbings and Lee's death," said Sgt. Richard Terry, an assistant division commander with the Concord police.

The Contra Costa County coroner's office has determined that the Lee died several hours after the two suspects were arrested on assault charges.

"There is not one shred of evidence that suggests anything other than suicide," said Sgt. Richard Terry, an assistant division commander with the Concord police. "I am a referee looking at the thing, there is just nothing at all to support anything other than what the investigation indicates."

But the family is still skeptical. They could not recognize Lee's signature on the suicide note and the names of both siblings were misspelled. The note addressed to his brother and sister, Tommy and Tammy, read: "I love you. Sorry."

Although investigators believe the note is genuine, they say the note is misspelled.

Richard Lee also said that his son's wallet was found about 30 feet from the body, perhaps indicating that someone other than Lee had tampered with it, he said.

But Terry disagreed. "The wallet was perfectly intact, not rifled at all. The fact that his wallet was there adds more support for the suicide." And Robert Lee is distressed that the coroner's office disposed of the nylon strap that was found around Lee's neck. Terry said that in the absence of evidence suggesting a criminal act, it was routine to throw away the strap.

Investigators say that after Lee woke up in Concord, he called friends in Berkeley for a ride home at around midnight, said Concord Lt. Al Jordan, who is in charge of investigations. "No one could pick him up," Jordan said. "A neighbor first saw the 142-pound figure of Lee behind the

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1 S.F. Examiner
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Indexing

fig tree in an empty lot near the BART station on Mount Diablo Blvd. at around noon Saturday. It was several hours before the neighbor realized Lee was hanging a few inches from the ground.

To Concord Mayor Steve Wei, Lee's death is in all probability a suicide. "I was heart sick when I heard of it," he said.

But to Judith Kindler, of of Judith Kindler Textile Designs in San Francisco where Lee worked, "suicide cannot be true."

"He was very, very happy last Friday," she said. "He had a lot of positive things going on in his life." She added, "He had a great future."

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Exhibit 100 - Costantini

Mr. and Mrs. Robert Lee hold photo of son, Timothy, and tell doubt that he died by own hand

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Date: 1-17-86
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B-2 The Tribune
Oakland, Ca.

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Controversy rages in hanging death

The Tribune

CONCORD — A man and woman living near the site where a young black man was found hanged two months ago said yesterday they heard screams that night.

In a second report, the NAACP claims to have contact with a woman who says she witnessed the slaying and knows the murderer's name.

The new reports added fuel to the controversy over the death of 23-year-old Timothy Lee of Berkeley, whose family maintains he might have been murdered.

But Concord police insisted the Nov. 2 death was a suicide.

Thordie Ashley, secretary of the National Association for the Advancement of Colored People's Emeryville office, said a woman called her yesterday

claiming she knew the name of the person who killed Lee in a vacant lot near the BART station.

Ashley said the woman witnessed a gun being put to Lee's head while he was forced to write a suicide note. But, she said, the caller was too frightened to give a name.

Bill Callison, 47, and Mary Ann Callison, 47, who live almost 200 yards from the fig tree where Lee was found hanged, have shown up weekdays to police that they had heard "piercing" screams in the early morning of Nov. 2. Callison said the sound stopped suddenly with "a hoot or a whopping sound." Both said they heard running.

The case has seemed to generate an unending stir in this suburban city of 105,000 people and has caused both the NAACP and the FBI to conduct their own investigations.

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Contra Costa a focus for NAACP discussion of racism 'resurgence'

By Carolyn Newbergh
The Tribune

EMERYVILLE — Northern California NAACP chapters tonight will discuss reports of an upsurge in Ku Klux Klan activity in the state, particularly in Contra Costa and Orange counties, according to the meeting's organizer.

"Racial intolerance is flaring up again and we have reason to believe California is heavily infiltrated with the KKK," said Thordie Ashley, secretary of the National Association for the Advancement of Colored People in Emeryville.

"We have to begin to do something about it."

Ashley called a conference of the NAACP's 22 Northern California chapters in Oakland tonight to look into the hanging death of 23-year-old Timothy Lee near a Concord BART station last Nov. 2 and reports from the NAACP's national office of Klan activity in California.

The civil-rights group and Lee's family claim the black fashion-design student, who lived in Berkeley, was murdered. The Concord police say he committed suicide.

The Federal Bureau of Investigation is conducting a probe into the death at the NAACP's

request. It is also investigating the stabbings of two black men in Concord a few hours before Lee's death. Charged with the attacks are two white men who said the Klan-style robes in their possession were left over from Halloween.

The 7 p.m. meeting is closed to the public.

She said that although the NAACP's national office has "no real proof of Klan activity" in the state, it has received an increasing number of "isolated reports."

The Klan in California tends to be "invisible," resorting to their uniform white robes less frequently, she said. They are most active in Contra Costa and Orange counties, she said.

Ashley also said a meeting in Concord yesterday with a group charged with investigating race relations in that suburban Contra Costa city was "an outrage." She had been asked to tell the city subcommittee about calls the NAACP has gotten from Concord residents.

The city subcommittee at first told other NAACP members and Lee's sister, Tammy, they wouldn't be welcome at the meeting, which was closed to the public and press. About eight people advising the two-member

committee were inside, including the police chief, she said.

"It appeared to me I was going to be interrogated and intimidated," Ashley said. "They wanted to question me alone. That's 10 people against 1. That outraged me. Why would you want to question me about calls I got in my office alone?"

The others were allowed in after a table was removed from the small meeting room. Ashley then reported receiving more than 30 calls from Concord residents — about half of them white people — complaining about racist incidents such as police brutality, graffiti and dog droppings on cars, she said.

"Concord is the main area for complaints" in the Eastbay, Ashley said. "People feel there is a racial overtone there."

Ashley and Tammy Lee said the session accomplished nothing toward improved race relations.

(Indicate page, name of newspaper, city and state.)

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— The TRIBUNE

— OAKLAND, CALIFORNIA

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Page 4A—Contra Costa Times Thursday, January 10, 1986

Concord pair heard screams night of hanging

By Jon Bashor
Staff writer

CONCORD — A couple living near the Concord BART station said Wednesday that they have given sworn statements to investigators saying they heard screams, the sound of a person choking and running footsteps the night a 23-year-old man was hanged from a tree.

One of them, who did not give his name, told KCBS radio that he was awakened by screams about 2:15 a.m. Nov. 2. Later that day, the body of Timothy Lee was found hanging from a tree with a suicide note nearby in a lot across from the BART station.

Concord police have ruled Lee's death a suicide. But the Berkeley man's family claims he was killed because he was black and open about his homosexuality.

At the request of the NAACP, the FBI has begun an investigation into Lee's death. The FBI declined to comment on the pair's statement.

The Concord resident said in a radio interview that he gave the NAACP and the FBI an affidavit of what he and his roommate heard that night and was interviewed at length by Concord police.

According to the man, his room-

mate awoke just after 2 a.m. when she heard screams. The woman thought of calling police but first looked outside to see if she could tell where the noise was coming from.

"She said there had been some screaming and it sounded really terrible," the man said.

About 10:30 p.m. on Nov. 2, the man said, he heard four screams, including a last one he described as "ominous."

"It sounded like somebody was being choked," he said, adding that the pitch of the scream rose until suddenly stopping.

Half a minute later, he said, he heard the sound of several people running down Oakland Avenue and talking.

Because it sounded like the people involved had left, the man said, he and his roommate did not call police. They do not read the newspaper and did not hear of Lee's death until several weeks later, the man said.

Lee apparently fell asleep on a BART train and ended up in Concord but was unable to get a ride home, police said after his body was found. No sign of a struggle was apparent, and Lee's wallet was found with \$8 in it, investigators said.

Concord police investigators could not be reached for comment.

(Indicate page, name of newspaper, city and state.)

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CONTRA COSTA
TIMES
Walnut Creek
CA.

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— Page 4A
 — Contra Costa Times
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NAACP official: Zero progress in Concord grievances

Concord, Calif. (AP) — An NAACP official concerned about the hanging of a young black man in Concord last November said a meeting Tuesday with the city's Community Service Commission resulted in "zero progress."

Thordie Ashley gave the commission details about approximately 40 complaints received by the National Association for the Advancement of Colored People alleging job discrimination, verbal abuse and police brutality in Concord.

"I believe they're upset because of the number of calls," said Ashley, secretary for the Emeryville chapter of the NAACP. She said the NAACP's Oakland office gets more calls from Concord than Pleasant Hill, Walnut Creek or other neighboring towns and "it appears they have a problem accepting that."

But commission member Naida Kvarme called the meeting productive and said the group hopes to work with the NAACP to make sure complaints reach the right agencies. Kvarme is heading a commission subcommittee to gauge the level of racial problems in Concord. It will recommend whether to revive a human relations task force to investigate racial complaints.

Ashley has been calling for an FBI probe into the Nov. 2 hanging of Timothy Lee, 23, of Berkeley. Concord police say Lee hung himself, but his family believes he was killed because he was gay and black.

(Mount Clipping in Space Below)

Pair can't believe no one else heard screams on Nov. 2

By Judy Ronningen

Staff Writer

CONCORD — When Marilyn Hannum heard the screams, she thought it might be a fraternity hazing.

Now she believes the screams that she and her roommate heard at 2 a.m. Nov. 2 came from Timothy Lee, the gay black man found hanged at the south end of the BART station.

"If I would have realized as terrible a thing was going on, I would have rushed out there, or called police," said Hannum, who lives near the other end of the station. "It didn't leap to my mind that someone's actually being murdered — and now I'm living with that."

Hannum and her roommate, Bill Callison, contacted the FBI, NAACP and Concord Police a few weeks ago to report they heard screams, followed by running footsteps. They didn't speak up earlier, said Callison, because they hadn't heard about the hanging and the police conclusion that Lee committed suicide.

None of the residents on streets along Oakland Avenue said they heard anything that night.

"Believe me, people would have had to have heard it," said Hannum, who was awakened by the screams at 2 a.m.

"They were very loud screams, repeated, that seemed to be coming from the BART lot," she said. "When I got up and got dressed and went outside, the screaming had stopped."

But about 10 minutes later, Callison, who had slept through the first noises, heard the scream. The last scream rose and then stopped, suddenly, "as though it had been cut off in mid-scream."

Then they heard at least two or three people running and getting into a car near their home, the pair said. At that point, they

decided it was too late to call police because the group was gone.

The pair said they were positive of the date they heard the screams, despite the time that elapsed before they reported it to police. "Oh yes, oh, yeah I wouldn't forget that," said Callison.

But other neighbors said they heard nothing but the usual BART noises that night, including watchman Tom Brotherton, who found Timothy Lee about noon hanging from a fig tree in a vacant lot on Mt. Diablo Boulevard between Oak and Laguna streets.

Now the tree is marked by a bright patch of memorial orange and red flowers.

Brotherton said he spotted Lee hanging there, in heavy shrubbery, because Lee's red vest caught his eye. He lives across the street from the vacant lot and didn't hear a thing in the early morning hours, he said.

Brotherton said he rose at 5:30 a.m. and walked around until about 7 without seeing anything unusual, but could have missed the body because it was dark when he started making his rounds.

George Fahmie, who works at the Thun-

dered Autocart used car lot on Laguna Street, said he saw a young, slim black man matching Lee's description walking along Galindo Street about 9:30 that morning. "I don't know that it was really him," he added.

Brotherton, who said he saw tree bark on the seat of Lee's pants, said he thinks the socialist demonstrators who claimed Lee was lynched are "crazy" although there is a lot of crime in the area.

"There's always a bunch of kids around here and there's always a lot of yellin', especially at that hour," he said.

"I never seen any harassment. The only harassment I've ever seen has been those jugheads demonstrating out here."

(Indicate page, name of newspaper, city and state.)

Page 4A

CONTRA COSTA
TIMES

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CALIFORNIA

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Neighbors doubt death

By Lois Nielsen
Staff Writer

CONCORD — The Oakland Avenue neighborhood near the Concord BART station is marked by quiet streets lined by aging tract homes housing working-class couples. Although mostly well-kept, the homes stand in sharp contrast to the modern BART station.

Most residents are renters.

They describe their neighborhood as racially mixed and friendly.

And all of them are united against one thing — BART.

"This is a BART-invaded neighborhood," said one Oakland Avenue resident who declined to give her name.

Neighbors say they are harassed by BART. They say their driveways, vandalize their cars, burglarize their homes on their porches and throw bottles in their yards. All the renters interviewed had either just moved in or were preparing to move out.

Despite the problems, residents said they were shocked when a 23-year-old black man was found hanging from a nearby tree early in the morning of Nov. 2.

"I was just amazed," said Leslie Baptiste, a longtime Concord resident who last April bought his home at 2711 Prospect near the BART station.

Concord police have ruled the death of Berkeley resident Timothy Lee as a suicide. But Lee's family was black and open about his race.

Concord police have ruled the death of Berkeley resident Timothy Lee as a suicide. But Lee's family was black and open about his race.

hood couple said they heard screams and the sounds of several people running down Oakland Avenue about the time Lee died.

Several neighbors described the incident as weird, but most doubted any racial harassment was involved.

"It's out of character for the neighborhood," said Ron Huggins of 2720 Prospect, who has lived in the neighborhood for a year and a half. "I can't see anyone doing this here. There's a black couple

was racially motivated

around the street. Nobody gives him any trouble, though I don't have a truck with him. People here just leave their neighbors alone."

A 21-year-old gay man who lives in the neighborhood, and who was walking through the BART station about 1:15 a.m. on the night Lee was killed, said he can't remember anyone harassing him or his black friends.

A neighborhood crime watch program is in place in the neighborhood, and residents are wary of suspicious-acting strangers, several

"Strangers that come around — it's what we worry about," said Mica Hueners of 1380 Oakland Avenue. "BART brings vagabonds

around," she said, adding that her boyfriend had dragged a prowler out of the back yard recently.

Hueners said she's afraid to walk the street at night on her way home from work at Long's Drugs two blocks away. She said she was from the BART station verbally harass her. She said she and her boyfriend are moving next month to a better neighborhood.

Another Oakland Avenue resident said she and her husband can sit in their living room and watch people burglarizing cars in the BART parking lot across the street.

Leslie Baptiste, who bought his 2711 Prospect home last April, said the couple across the street had

been burglarized twice in the past two months.

And, although the National Association for the Advancement of Colored People (NAACP) claims activity in Concord, Oakland Avenue area residents discount that as ridiculous.

"Hell, no, there's nothing like that around here," Huggins said. "I don't see how an organization like that could survive around here."

All the residents interviewed, except one couple, said they were home at 2:15 a.m. the night Lee died. None heard anything. "But with BART next door, it inures you to sound," Huggins said.

(Indicate page, name of newspaper, city and state.)

Page 4A

CONTRA COSTA TIMES

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2 S.F. Chronicle
San Francisco, Ca.

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Concord Hanging

Report of Screams At Man's 'Suicide'

By Michael Taylor

The FBI has received new information that raises questions about the hanging death of a young black man at the Concord BART station in November, The Chronicle learned yesterday.

Timothy Lee, 23, was found hanging from a tree in the early morning hours of November 2. After a two-month probe, Concord police ruled the death a suicide. Lee's family claims he was murdered because he was black and gay.

A couple who live near the BART parking lot, according to affidavits given to the FBI, said that on the night of Lee's death they heard screams, a commotion and people running. This series of events is at odds with the official version of Lee's solitary suicide.

The FBI, at the request of the family and the NAACP, began an investigation last week to determine whether Lee's civil rights were violated. The FBI declined to comment on the case yesterday other than to say it is investigating.

The affidavits and statements given to the FBI and the NAACP by Lee's friends and by people who live near the BART station put new light on the incident and the last moments of Lee's life.

Joyce M. Carter of El Cerrito said that Lee, who worked in San Francisco and lived in Berkeley, called her at 1:13 a.m. from the BART station in Concord and said he had fallen asleep on the train home, missed his stop and wound up in Concord.

...I need a ride home...
Carter, a woman, called Russell Wright, Lee's roommate in Berkeley, according to Carter's statement. Wright said in a statement, which is now in the hands of the FBI, that he talked to Lee at 1:55 a.m. and said he would call several friends to see whether someone else could come get Lee.

Wright couldn't find Lee and called Lee at the BART station. Lee told me he would "find a way home, no matter what and that he would see me in the morning. That was the last I heard of him."

Less than 15 minutes later, electronics technician William Callison, who lives near the station, said he heard "three or four screams... followed by a final scream which had a rising pitch and ended suddenly." Within 30 seconds, he said, he heard people running on Oakland Avenue, near his home.

Marilyn Hannum, who lives with Callison, said in her affidavit that after the screaming stopped, she heard a car door slam and then the sound of people running from the direction of the BART parking lot. She got dressed and went to have a look, but she said, "I could not hear any screaming coming from inside any houses."

Last week, Concord Police Chief Straka said he is so convinced that Lee killed himself that it would be "a waste of time" for the police to investigate. Concord police told the NAACP in a letter last November that Lee's death was

not connected in any manner with race or sexual preference.

NAACP officials said they received numerous reports of "intolerance" in Concord. One anonymous caller said she knew Lee had a gun. NAACP officials said other callers told of "urine poured in cars, (racist) graffiti and racial slurs." And they pointed to the fact that earlier on the night of Lee's death two men wearing Ku Klux Klan robes stabbed two black men in the parking lot of a Concord bar.

44A-2373-48

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New 'witness' reports revive Lee case furor

By Carolyn Newbergh
The Tribune

CONCORD — A man and woman living near the site where a young black man was found hanged two months ago said yesterday they heard screams that night.

In a second report, the NAACP claims to have been in contact with a woman who says she witnessed the slaying and knows the murderer's name.

The new reports added fuel to the controversy over the death of 23-year-old Timothy Lee of Berkeley, whose family claims he might have been murdered.

Concord police, who have chased many allegations of foul play in the Nov. 2 death of the homosexual design student, still insisted yesterday that all evidence points to suicide.

"We still have nothing to indicate this is anything but a suicide, which is not to say we won't follow any new leads," said Police Chief George Straka from a police-management retreat at South Lake Tahoe.

Thordie Ashley, secretary of the NAACP Emeryville office,

See LEE, Page B-2

Continued from Page B-1
said a woman called her yesterday claiming she knew who killed Lee in a vacant lot near the BART station. Ashley said the woman witnessed a gun being put to Lee's head while he was forced to write a suicide note.

Ashley said the caller was too scared to give her name and said that the alleged murderer was laughing. Ashley said she advised her to call the FBI which refused yesterday to comment on a case being investigated. Ashley also said the Bill Callison and Marilyn Hannum, who live almost 300 yards from the fig-tree where Lee was found

hanged, submitted affidavits first to the FBI and NAACP about 10 days ago and then the Concord police that they had heard "piercing" screams in the early morning of Nov. 2. Callison said the sound stopped suddenly with "a hoot or a whopping sound." Both said they heard running.
Callison, a 44-year-old electronics technician, said in an interview that the view of the fig tree from his house is blocked by an earth embankment. He said the two did not come forward earlier because they hadn't heard about the hanging until reading an article about a month later.
Straka said he doesn't connect the screams to Lee's murder. He said police surveyed the immediate neighborhood and found no one who had heard anything suspicious that night. He said they will now survey a larger area including the house where Callison and Hannum live, about two blocks back. And they will conduct sound tests to learn how much can be heard from their house.
He also said he doubts Callison could have heard the choking sound he described from such a distance.
Callison said he can't be sure that the screams he and Hannum heard were Lee's.

(Indicate page, name of newspaper, city and state)

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The TRIBUNE
OAKLAND, CA

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Page 6A—Contra Costa Times

Saturday, January 18, 1986

NAACP: Caller says gun put to Lee's head

CONCORD — The NAACP says an anonymous caller claimed to know a man who said he put a gun to the head of hanging victim Timothy Lee and forced him to write a suicide note.

But the woman caller, who said she knew the man's name and address, was too afraid to name him, according to Thordie Ashley of the NAACP. Ashley described the caller as "very frightened; afraid of the police, afraid of everybody."

Lee, a 23-year-old design student who was black and openly homosexual, was found hanging Nov. 2 in a vacant lot near the Concord BART station. Concord police concluded Lee hung himself, but the NAACP convinced the FBI to investigate the possibility of a racially motivated murder.

The anonymous caller said the man with the gun "is a (Ku Klux) Klan (member). She

ley. The NAACP representative said she reported the Thursday afternoon call to the FBI, but noted, "When these things come up, you get all kinds of calls."

The FBI had no comment, and Concord police Detective Tony Costa, who is investigating Lee's death, said the NAACP had not notified him of the anonymous call.

month they had interviewed Marilyn Hannum and William Callison, who said they heard screams near the BART station about 2 a.m. on the day Lee died.

Evidence at the vacant lot where Lee was found hanging about noon Nov. 2 still leads police to believe he committed suicide, the department said Friday. An autopsy indicated Lee died about 8 a.m. that day.

(Indicate page, name of newspaper, city and state.)

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13A
CONTRA COSTA TIMES
WALNUT CREEK, CA

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SPECIAL REPORT: THE DEATH OF T

Complex background shaped

By Mary McGrath

Staff writer

SAN FRANCISCO — Those who knew Timothy Charles Lee remember the aspiring fashion designer as a rare person shaped by two minority cultures: black and Native American.

The 23-year-old Berkeley man lived the first nine years of his life in an adobe house on an Indian reservation. He was a registered Native American and was among the children of activists who occupied Alcatraz Island in the early 1970s. He lived on the island with his Native American mother, Margaret Arviso Lee, during the occupation.

But when Margaret died in 1973, Lee was sent to live with his black father in a predominantly black section of West Berkeley.

He was a strange product of two cultures. He had a wisdom far beyond his 23 years, said Dede Puma, a former co-worker and a close friend, who worked with Lee for nine months at the Barbara Beckman Design Co.

The portrait of Lee that emerges from friends, relatives, and co-workers is of an upbeat but complex young man, who struggled with his ethnic identity but was comfortable being a homosexual and joked easily about his effeminate manner.

His family believes these quali-

ties cost him his life.

On Nov. 2, Lee was found dead, hanging from a fig tree in a vacant lot across from the Concord BART station. The police have ruled his death a suicide. But his family and friends believe he was forced to write a suicide note found nearby before being lynched by racists or homophobes.

"I was floored, disbelieving, incredulous. It couldn't be suicide, I felt. I kept thinking, 'They will find it's murder anyday now.' It is so bizarre," said Ann, manager at the Judith Kindler Textiles in San Francisco, where Lee had worked as a fabric painter and did other chores for the six weeks preceding his death. (Ann asked that only her first name be used in this story.)

Ann and other friends said Lee walked with a spring in his step and was open and friendly to everyone he met. He loved to dance, and so abhorred violence that he once became ill after witnessing a fist fight outside his former office, one co-worker recalled.

"He was, honestly, the happiest, most cheerful person — warm, friendly and gregarious. He was so much fun to have around. He was a real asset, and we really loved him," said Ann.

Lee wanted to become a fashion designer, and worked from 9 a.m. to 5 p.m. from Tuesday through Friday

at the textile firm. He attended the Academy of Arts, on Powell Street, at night.

Ann had seen his portfolio of linear, New Wave women's fashions and called him a very talented illustrator. "He was ambitious. He would work all day — and this is hard work, you leave here sweating. And then he went to school at night. You have to respect a person like that," said Ann.

He also loved nice clothes, and wore mufflers and fashionable overcoats with padded shoulders, which he accented with cowboy boots and green suede shoes.

He dreamed of studying in Europe, and appeared to be on his way up in the industry. His stepmother, Elizabeth Casey, will not comment on the case, but said Lee had talked of applying to study fashion design in Milan, Italy. The family is compiling documents, it said, will verify that Lee had been admitted to the Italian school.

Lee did not choose the fast-lane life of many young gay men working or living in San Francisco. He preferred to return home after work and draw or spend time with his close-knit circle of friends, some from Berkeley High School.

"He was kind of a homebody. Like all of us here," said Ann. "He said his friends got on him because he stayed home a lot," she noted,

adding he was not much of a partygoer.

Last year, Lee attended the Erotic Ball, famous for the sexually explicit costumes worn by participants. "He came back and said he found out I'm a prude. It was too much for him," said Ann.

Lee and his 22-year-old sister, Tammy, were like one person. They were on their own at an early age and they clung to one another, said Karen Carter, an El Cerrito woman, who was friends with Tammy, Timothy, and their brother Tommy, who is 25.

Lee shared a Victorian home with Tammy and other friends. She had taken the role of surrogate mother early in life. According to friends of the family, as a child she would bathe and dress Lee, helping select her clothes and choose friends. "He lived for Tammy," she used to say. "What's a Timmy without a Tammy?" He just lightened up when he sees her," Ann said.

Puma, in whom Lee confided, said Lee also often spoke of hardships in his childhood, but did not appear depressed. In a school psychology essay that Lee shared with Puma, he wrote about losing his mother and adjusting to life in a new culture.

"He said it had been very difficult. He didn't know where he belonged. He was coming to

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FBI/DOJ

TIMOTHY LEE

a complex life

with being gay, and a close male. But being gay was not the issue. He was comfortable with that," said Puma.

Lee is buried at the Rincon Indian Reservation in Escondido, near San Diego, where his life began.

He lived there with his brother and sister and mother until the family joined the Alcatraz takeover. Lee's father, Robert T. Lee, was in the Navy and was stationed off and on in Japan and other parts of the world, including a stint at the Ford Cord Naval Weapons Station.

When Margaret died, Robert Lee joined the military police force at the Alameda Naval Air Station and moved to Berkeley to take care of his children.

"It was traumatic for them, about

to her. Their mom and I were separated, and I was away from six to nine months of the year. But it was not as though they didn't know me. They adjusted well," said Robert Lee, who now lives in Memphis, Tenn.

It was throughout these years that Lee's closeness to his sister grew. Tammy would not comment on the case to Contra Costa Times reporters this week. Carter said she had seen her mother only in the present tense.

"She still says Timmy will do this and Timmy will do that. We will be driving in the car and she will see something and say, 'Timmy is really going to like that,'" Carter said.

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(Indicate page, name of newspaper, city and state.)

13A

CONTRA COSTA TIMES
WALNUT CREEK, CA

Date: 2/2/84

Edition:

Title:

Character:

or

Classification: 44A

Submitting Office:

SPECIAL REPORT

'I am not satisfied, the way the newspapers said I am, that it was suicide'

— Robert Lee,
father of
Timothy Lee



Timothy Lee

Timothy Lee case: suicide or murder?

By Mary McGrath
and Jon Bashor
Staff writers

For more on the Timothy
Lee case

— Page 12A-14A

CONCORD — Two days after Timothy Charles Lee was found hanged from a fig tree, a police investigator's report called it a suicide.

But in the three months since the aspiring fashion designer was found in a lot near the BART station, newspapers as far away as New York have sent reporters to re-search the case.

The FBI is investigating, the NAACP has created a statewide committee to look into the death,

and a defunct Bay Area lawyers alliance has been revived to examine the facts.

The Concord police say Lee was at risk for suicide. He was openly homosexual and of mixed race, half black and half Native American. When they found him hanged by a backpack strap Nov. 2 with a sui-
Please see LEE, Page 13A

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LEE

From Page 1A

icide note nearby, it seemed clear that he had taken his life.

But his family and friends remain unbelieving. They knew Lee as a happy-go-lucky and talented young man with a promising career in the design industry.

They believe his death raises the possibility that Lee, alone in a predominately white suburb, was hanged by racists.

New information and events that have arisen since his death have increased their concern and strengthened their resolve to find an answer.

The police theorize Lee became despondent after he was stranded at the Concord BART station at 1 a.m. and could not find a friend to pick him up.

But relatives and friends say Lee was familiar with Concord. His father, once, worked at the Concord Naval Weapons Station, as a child he had visited his maternal grandmother in Concord (she now lives in Oakland), and he often visited a friend there.

Lee's father says he does not believe his son killed himself and he does not believe the police investigation of the death was adequate.

□□□

days after Lee's death.

Straka said the NAACP attorney, as a representative of the family, could have called the bank to find out what happened. Instead, police had to get a search warrant to discover that Lee had deposited the check in an automatic teller machine the day before he died and it showed up on records two days later.

The police based their conclusions on facts, Straka said, not speculation. The department has offered to let NAACP officials look at photos and read all reports concerning the Lee case, but there has been no response, Straka said.

However, Lee's father did travel to Concord from his home in Memphis, Tenn. After reviewing the reports and asking questions, Robert Lee "felt satisfied that his son had in fact committed suicide," police claimed.

But in a telephone interview from his home, the elder Lee said

Concord Police Chief George Straka said Thursday that Lee's death is still being treated as a suicide.

And a knife attack earlier that day against Tony Hall and Jeff Miller outside a Monument Boulevard bar by two Concord men wearing white sheets similar to Ku Klux Klan robes was unrelated, Straka said.

The two suspects in the stabbing case claim they were dressed in the robes for a costume party. The victims are black.

Joel Butler, a 62-year-old retired civilian Navy employee, said he saw two other men in KKK-style robes and hoods in Concord that Friday night as he was driving home.

"I was returning from Sunvalley," Butler said. "I had just turned off Detroit on Oakmead on the way to my house, between 9 and 9:30 p.m. I assumed since it was Friday that it was one of those post-Halloween parties. It was not the most appropriate Halloween costumes."

Butler said he is certain the two men he saw that night were not the suspects in the stabbing early Saturday morning, because the headgear was significantly different. The suspects wore hoods that covered their faces, except for the eyeholes. The

men he saw had cone-shaped hats that resembled "a dunce cap," Butler said.

Butler, a former member of Concord's disbanded Human Relations Committee, reported his observations to the police and later was told that they had investigated and decided the men were wearing Halloween costumes.

"We have found in these cases there is no great conspiracy," said Straka, who said the incidents and surrounding publicity have taxed his department. "I've said I'm angry, but really I'm frustrated."

Thordie Ashley, president of the Emeryville NAACP, theorizes there was a conspiracy. "Our theory is that Timothy was accosted by two or three people. There could be some kind of gang thing going on, people mimicking the KKK," she said.

□□□

Straka said his detectives have been hampered by people who call the NAACP with allegations he described as "speculative dreams," which are then repeated in public and in the press as facts.

One example, Straka said, involved a paycheck made out to Lee. The NAACP claimed in the media that the check had been cashed two

LEE

From Page 13A

that is incorrect. "I did come out and I am not satisfied, the way the newspapers said I am, that it was suicide. I got the coroner's report and there was not even a preliminary investigation... The officer on the scene called the coroner and told the coroner it was a suicide," said Lee.

□□□

According to those reports, a passer-by discovered Lee's body at 12:36 p.m. Wearing a blue tank top, jeans and green shoes, Lee was hanging by a strap cinched around his neck with a spring clip. His black jacket was on another branch.

Nearby, in the undergrowth, was his gray-green knapsack. Thirty-six feet from the body, police found Lee's wallet containing credit cards and his driver's license. In his pocket was another wallet with credit cards and \$3.29 was in another pocket. Police admit they can't explain how the one wallet ended up so far from Lee's body.

Lee's father was annoyed that the area was not sealed off for further investigation. He says police did not have evidence to support their contention that Lee probably had dropped his wallet while climbing a fence. Police say they did seal off the area for their investigation.

Also on the ground was a note saying he was sorry, addressed to "Tami" and "Tom," apparently his sister, Tammy, and brother, Tom. He always called them "Tammy" and "Tommy." The misspelled names have led Lee's sister to say the note was written under duress, if, in fact, her brother wrote it.

A Department of Justice handwriting analyst in Sacramento con-

cluded the penmanship on the note, a check made out by Lee and writing in his notebook were "probably authored by the same person."

Karen Carter, an El Cerrito friend of Lee and his sister, said she had seen Lee write Tammy's name dozens of times and he always spelled it "Tammy" and knew his sister preferred that spelling.

The family also contends that a circle drawn on the suicide note was Lee's attempt to signal he was being hanged. He wrote "I love you," but the last "u" appears to continue into a looping circle. Because of Lee's large scrawling handwriting and overlapping letters, it is unclear whether Lee tried to write "you" more legibly a second time and created the second "O."

Carter said Lee and his sister had such a close relationship that he would never have left such a short note.

"The thing that makes it quite obvious to me (that is was not suicide)... is something you might not see unless you knew him. But he would have left Tammy more than that. They were so close. He would have gone into detail. He would never have said 'I'm sorry' and left it at that," Carter said.

Robbin Davis, a Berkeley man who knew Lee for eight years, told police that Lee was the kind of person who would fight for his life.

"He wouldn't just allow someone to hang him," Davis told detectives. Lee had a minor scrape on his arm — not deep enough to draw blood. The seat of his pants showed bits of bark, apparently from the scuffed branch several feet below the knob to which the noose was connected.

Several smaller branches on the tree were freshly broken, according

to police reports, but little undergrowth had been trampled, leading police to conclude that Lee was the only person around the tree that night.

"There were no signs of a struggle around the base of the tree, nor in the tree itself," Detective Tony Costa wrote. "Based on the situation as I found it, I feel the victim committed suicide by climbing on a large branch... He then put the strap around his neck and pushed himself off the branch."

On Jan. 16, the NAACP Emeryville office received an anonymous phone call from a woman who claimed she had seen a gun held to Lee's head while he was forced to write the suicide note. Her comments were vague, but she claimed to have the name and address of at least one man who murdered Lee.

Before she hung up, the NAACP's Ashley urged her to call the FBI and gave her a number.

Ashley later called the FBI and said an agent told her the woman had called. Ashley said the NAACP has stopped taking anonymous calls, since they cannot be used to help the investigation.

The body was covered with biting ants, but there were no other signs of trauma, according to the coroner's report. Lee's family contends that the body was burned by cigarettes, not bitten by ants.

"We'll have to take the doctor's word for it," Straka said.

Lt. Al Jordan, Costa's superior, called the detective a "thorough" investigator who was recently chosen from a number of applicants for a permanent position investigating crimes against persons.

According to police reports and interviews with people who knew Lee, he apparently fell asleep riding

on BART and missed his transfer for Berkeley. He arrived in Concord about 1 a.m. after the last west-bound train had left. He apparently called several friends looking for a ride home, but no one could help.

Robbin Davis said the victim had a good friend named Gary Caspillo within walking distance of Concord BART. But, Davis told police, Caspillo wasn't home that night.

The police speculate Lee became despondent after realizing he was alone in a strange city and no one could pick him up.

But Lee's father said his son knew Concord well.

It wasn't the first time Lee found himself in Concord late at night. Five or six weeks before the hanging, Lee and a friend stopped in the Denny's restaurant on Willow Pass Road. The waitress who served the two men told police they were smartly dressed when they came in about midnight on a weeknight. Both men seemed in good spirits, she said.

About two weeks later, Lee walked up to Chick's Donuts on Willow Pass early one morning when the shop was closed. The cook, who recognized Lee from a photo shown to him later, told police the man was a "sharp dresser." The cook said he opened up and sold Lee a cup of coffee. Lee smiled, waited around a few minutes and then left, the cook told police.

Davis told police that Lee's family had been feeling a lot of guilt over the young man's death. When he tried to discuss the matter, Davis said, Lee's family told him not to

think about the negative side of the hanging.

Lt. Jordan called the stabbing attack earlier that night an "unfortunate coincidence."

In that attack, the two black victims were talking to two white women when the suspects — clad in robes like the KKK's — pulled up in a car.

A racial epithet allegedly was spoken, a fight began and the two black men were stabbed. One of the two men pleaded guilty to the attack, the other pleaded innocent and is awaiting trial.

Straka said police have talked to several people who said the suspects did attend a costume party the night of the attack and police are still trying to interview others who were at the party.

On the following Monday, Straka said, Concord police called the FBI about the stabbing incident and also the Lee case to see if the federal agents wanted to do a civil rights investigation. The FBI has declined to comment on the case.

"We do that routinely," Straka said, "when it appears there is a civil rights violation."

New theory on hanging discounted

By Carolyn Newbergh
The Tribune

CONCORD — A new theory that Timothy Lee's hanging death here Nov. 2 was the deed of a bikers' club that also sexually assaulted him was branded unfounded by police Chief George Straka yesterday.

(NAACP official) Thordie Ashley appears to be reaching out for anything," Straka said. "There's no evidence Timothy Lee's death was anything but suicide, regardless of what they've come up with this time."

Straka said the latest in a string of theories was made public by the Emeryville office of the National Association for the Advancement of Colored People on Friday. Ashley heads the civil rights group's probe into the death of the 23-year-old fashion design student from Berkeley, found hanging from a fig tree near the BART station.

Tammy Lee, the sister of the black gay man, contends she was told in January that he was murdered and sexually molested by a motorcycle club and told her lawyer.

The police chief said it seemed the bike club theory emerged during a party conversation but apparently wasn't serious. However, Straka said police interviews are still planned to follow up on it.

"As long as there is any possibility of some other information related to this case, we will investigate it," he said.

County Coroner Al Moore said yesterday he sticks by his conclusion that Lee's death was a suicide.

"No one has given us a name or has come forward with any knowledge that shows this to be anything other than what we found," Moore said.

Since Lee's death, the family and NAACP have frequently brought forth theories to show he was murdered.

They speculated he was lynched by the Ku Klux Klan or other racists. This idea was

See HANGING, Page A-13

(Indicate page, name of newspaper, city and state. Page A-11)

CONTRA COSTA TIMES
WALNUT CREEK, CA
Date: 3/25/86
Edition:

Title:

Character: CR
or

Classification: 44
Submitting Office: SF

Hanging

Continued from Page A-11

fueled by the stabbings of two black men nearby on the same night by two white men in Klan costumes.

When a Los Angeles handwriting expert recently claimed that Lee's suicide note was forged by his roommate, speculation focused on him as playing a part in the murder.

Police have concluded that the roommate is not a suspect and instead helped them further confirm that Lee was feeling de-

pressed just before his death.

Elizabeth Casey, Lee's stepmother, said the family still believes the roommate could have been involved if the bikers killed Lee.

"They seem to be changing their theory to fit the circumstances," Straka said. "They're all fishing around in the same information to make a case."

Straka said the suicide note has a set of fingerprints other than Lee's but not belonging to anyone associated to the case.

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MAY 2 1986	

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'Suicide' note's author disputed

Hanged man's roommate wrote it, expert says

*Timothy Charles Lee
44-2373*
(11/3/76)*

By Ann Hagedorn
Mercury News Staff Writer

Los Angeles handwriting expert Andrea McNichol has told police that Timothy Lee's roommate wrote the purported suicide note discovered near the tree in Concord where the 23-year-old black man was found hanging in November.

It was the latest surprise in a strange case in which the National Association for the Advancement of Colored People and Lee's family originally alleged that racists, possibly connected to the Ku Klux Klan, killed Lee because he was black and gay.

Three other handwriting experts have said Lee's roommate, Russell E. Wright, a salesman at an outdoor clothing store, did not write the note. But Concord police, criticized since Lee's death for not aggressively investigating the possibility that Lee did not commit suicide, were to interview Wright on Wednesday night.

"I'm very upset and I'm hurt. Suddenly I'm a suspect. It's unbelievable," Wright said Wednesday from his job in San Francisco. He was sharing a studio apartment with Lee in Berkeley at the time of the fabric designer's death.

But Concord police Capt. Robert Evans said Wright should not be described as a suspect.

"We are looking at him as a witness only, as a person who might provide information in this case," he said.

Lee became stranded past midnight Nov. 2 in the Concord BART station and telephoned several people, including Wright.

The last person known to have spoken with Lee by telephone.

But police, until Wednesday, never had interviewed Wright. Police ruled the death a suicide in a preliminary report dated three days after Lee's death.

NAACP spokeswoman Thordie Ashley said the news about Wright was "a bizarre turn." At the urging of the NAACP, the FBI has been conducting a civil rights investigation of Lee's death, which occurred

hours after two men wearing white robes bearing the emblem of the Ku Klux Klan stabbed two black men outside a Concord nightclub.

The NAACP asked for written statements from several people, including Wright. It was his three-page statement that handwriting experts have used to compare Wright's handwriting with the suicide note.

Expert opinion

David Crowe, a handwriting expert in the state crime lab in Sacramento, determined shortly after Lee's death that Lee had written the note, which said, "Tami & Tom, I love yoyos sorry Timm." (Tammmy and Tom are Lee's sister and brother.)

But McNichol, a Los Angeles handwriting expert whose credentials include work on the Hitler diaries, forgery case and the identification of the remains of Nazi Josef Mengele, has concluded that the note was written by Wright, not Lee.

Two other experts, hired by the Mercury News, have studied the note, Wright's handwritten statement and a sample of Lee's writing. They have concluded that Wright did not write the note.

But, adding confusion to an already complicated case, one of the experts hired by the Mercury News, Charlie Cole of Campbell said Lee did not write the note either.

Differing opinion

The other expert who examined the documents for the newspaper

(Indicate page, name of newspaper, city and state.)

Date: 3-13-86
Edition: Peninsula Morning
1 San Jose Mercury News
San Jose, Ca.

Title:

Character:

or

Classification:

Submitting Office: SF

Indexing:

"I'm very upset and I'm hurt. Suddenly I'm a suspect. It's unbelievable."

Russell E. Wright

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Sherwood Morrill of Sacramento, whose experience includes work on the wills of billionaires Howard Hughes — said that although he was sure Wright did not write the note, he did not have enough of Lee's handwriting to determine whether he wrote it.

In his letter to the NAACP, Wright wrote that his roommate told me that he would find a way home, no matter what and that he would see me in the morning.

Wright said he called various friends looking for a ride for his roommate, without success. Wright declined last week to say whom he called.

Lee's friends say Wright does not have a car or even drive. He said Wednesday that he was at home with someone else the night Lee was stranded.

"There was someone with me that whole night," he said. "This whole thing can be taken care of easily. Right now it seems the NAACP is keeping this case going, no matter what."

Expected help

In a statement to the NAACP, Joyce Carter, who spoke on the telephone to Wright after Lee called her from the Concord BART station, said Wright told her that he expected Michael to be coming in shortly, who would probably go after him.

Michael Woolridge, a friend of Lee's and Wright's, said last week that he never made it to Lee's Berkeley apartment that night.

"I think I was at my grandmother's that night," he said.

The BART station agent who closed the station that night reconfirmed this week that "a black man who was effeminate came to me and asked if there was any service. And then said, 'That's OK. I've called somebody to pick me up.'"

Earlier this week, Lee's sister, Tammy, who described Wright as "not outgoing or talkative," said that ever since Lee's death, Russell is more into a shell than before.

After Lee's death, Wright disconnected his phone and did not want to talk to the press.

"I haven't even been able to talk to him about it," Tammy Lee said.

50 hours of study

McNichol, the Los Angeles handwriting expert, said she spent about 50 hours studying documents in the case. She said she is certain Lee absolutely did not write that note.

Wright, she has told police wrote the note and tried to forge Lee's handwriting, which compounded the difficulty of the analysis.

After her finding, Concord police asked the state expert, Crowe, to re-examine the documents. He stands by his original finding that Lee wrote the note.

McNichol is critical of the Concord police for sending the note back to the original examiner.

She met with two FBI agents in Los Angeles on Wednesday to discuss her findings, she said. The FBI may send the handwriting samples to Washington for a third opinion, she said.

Evans, of the Concord police, said Wednesday that he wasn't certain other examiners would look over the report.

Next step

"Our next step will be based on what we learn in the interview (with Wright) tonight," he said.

Police also are seeking a court order to examine the Nov. 2 tele-

phone records for all BART pay phones at the Concord station in what Evans called the continuing investigation of the Lee case — an investigation the NAACP and Lee's family have called "sloppy from the beginning."

They complain that the coroner threw away the backpack strap removed from Lee's neck, no tests for sexual assault were ever run and police conducted few interviews.

"Had there been a thorough investigation from the very beginning, we wouldn't have ended up so much in the dark," NAACP spokeswoman Ashley said.

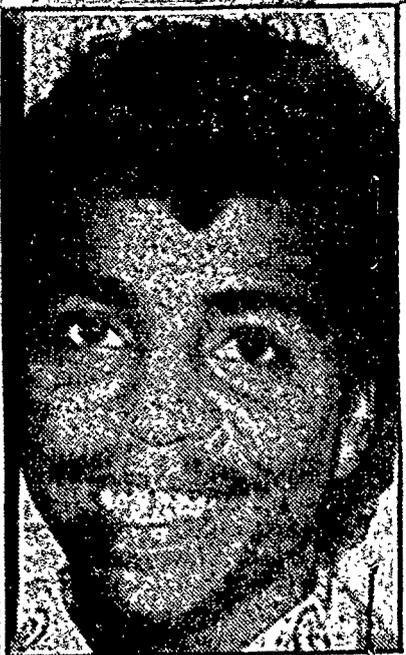
In defense of the Concord police, Evans said the number and type of

interviews conducted after what appears to be a suicide depend on the evidence found at the scene and the condition of the body.

Suicide ruling

"Everything supported the suicide ruling," he said. The coroner found no signs of struggle on Lee's body and an alcohol content of .13 in his blood.

Lee's family has filed claims totaling \$3 million against BART, the city of Concord and Contra Costa County. The claims allege that BART failed to protect Lee after he was stranded at the Concord station and that police and the coroner's office conducted an inadequate investigation of his death.



Timothy Lee
Never made it home.

(Mount Clipping in Space Below)

Lee's roommate now says he lied

By Per Mansson

Staff writer
CONCORD— Timothy Lee's roommate has admitted lying three months ago when he testified Lee was in high spirits before his hanging death in Concord Nov. 21. Lee was actually depressed and suicidal, according to a written statement released by Concord police Monday.

In his first statement in December, Russell Wright, who had been Lee's roommate for the past few years, described Lee as a "happy person."

But Wednesday, Wright wrote a second statement in which he described Lee's depression and low key behavior a week prior to his

death, police said. Police believe Wright is telling the truth in his second statement which agrees with other statements to police that Lee was depressed before his death, said Capt. Bob Evans.

Wright wrote the second statement after a Los Angeles graphologist told police, the FBI and the state Department of Justice that she believed Wright had written a suicide note found near Lee's body.

A justice department forensic handwriting analyst has ruled three times in the months that the note was written by Lee.

Evans said fingerprint tests were being conducted on the envelope on which the suicide note was written.

The laboratory tests are expected to be completed next week.

Evans said Monday that Wright is not a suicidal person because the people standing with the year-old Berkeley man's statement that he was home.

The two men, Brian Austin and Michael Wright, are friends of Wright's brother, Lee.

Inter- viewed last week by Concord detectives, the two men said they stayed over at Lee's and Wright's house in Berkeley on Nov. 2, Evans said.

He said police stand by their original conclusion that Lee hanged himself.

That conclusion has been bitterly disputed by the NAACP.

NAACP, which have said the aspiring fashion designer had too much going for him to commit suicide.

After his death, the NAACP and Lee's sister, Tammy, went to several people who knew Lee, asking them to describe his state of mind in the days before his death.

All the statements, including Wright's, described Lee's good outlook and enthusiasm for life, and found it unlikely that he hanged himself.

In his new statement, Wright painted a different picture of the roommate he had met at Berkeley High School.

(Indicate page, name of newspaper, city and state)

Date: 3-18-86
Edition: Daily
1 Contra Costa Times
Walnut Creek, Ca.

Title:

Character:

or

Classification:

Submitting Office: SF

Indexing:

Timothy Wright
see 44-2373 + (113100)

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SERIALIZED FILED
MAY 9 - 1986
KPA

44A-2373-55

"He seemed to be down and easily upset on the night that I called him at the BART station," said Wright, who is one of the last people Lee is believed to have talked to Nov. 2.

When Wright failed to find a ride home for Lee, who was stranded in Concord when the BART trains stopped running, Lee became upset.

"I asked him what he was going to do, and he said, 'Maybe I'll throw myself in front of a car.'"

Wright had an explanation for what he called his "false and invalid" initial statement to police.

"I wrote it because I didn't think the case would go this far. I also wrote it because I believed that I could ease the pain for his sister. I thought I would help her out. I wrote the statement because I thought I couldn't face her with the truth" of Lee's unhappiness.

Evans said Lee earned two F's, two C's and one A during his last semester at the San Francisco Academy of Arts. Shortly before his death, Evans said, Lee had transferred to the Fashion Institute of Design and Merchandising.

(Mount Clipping in Space Below)

Hanging victim's sad final days

By Carolyn Newbergh
The Tribune

CONCORD — A young black man whose hanging death here last November has sparked unceasing controversy was depressed and had threatened to throw himself "in front of a car" just before he died, according to new evidence police released yesterday.

Timothy Lee's last words to the roommate who couldn't find him a ride home from Concord BART the night he died were, "Maybe I'll throw myself in front of a car," police said yesterday.

The portrait of Lee as troubled conflicts sharply with the opinion of his sister Tammy and the National Association for the Advancement of Colored People, who have maintained he was too happy to kill himself.

Police delved further into the final days of the 23-year-old fashion design student last week after a Los Angeles handwriting expert said Berkeley roommate Russell Wright forged Lee's suicide note.

Wright, other roommates and friends said last week that Lee was depressed and highly moody just before his death, Capt. Bob Evans said.

Their insights further confirmed the conclusion of police several days after the Nov. 2 hanging that Lee's death was a suicide, he said. Wright was never a suspect in the death, he said.

In a report to police last Wednesday, Wright said he had written a false statement in December describing Lee as "basically" happy for Tammy Lee to give to the NAACP. He said in a Tribune interview that that statement was meant to help Tammy Lee get Concord police to reopen their investigation.

In last week's report, Wright said: "I wrote the statement because I thought I couldn't face her (Tammy) with the truth."

"But the truth is I remember his depression and low-keyed behavior a week prior to his death. He seemed to be down and easily upset."

Wright, who does not own a car, had tried to find Lee a ride home from the Concord BART station, where he was stranded after falling asleep on the train.

When he couldn't and asked Lee what he planned to do, he answered, "Maybe I'll throw myself in front of a car," according to Wright's statement.

Wright said he "overlooked" the comment and told Lee he would continue to try to get him a ride.

*Timothy Charles Lee
44-8373*
(1/3/86)*

(Indicate page, name of newspaper, city and state.)

Date: 3-18-86
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A-12 The Tribune
Oakland, Ca.

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Wright's belief that Lee was depressed enough to kill himself was shared by two other roommates police interviewed last week and a friend spoken to earlier, Evans said. There are others who disagree, he said.

Evidence gathered last week also indicates Lee may have committed suicide because he was having trouble in his fashion design career, Evans said.

His last grades before quitting the Fashion Institute of Design and Merchandising were one A, two Cs and two Fs, Evans said. Also, police have never been able to substantiate family claims that he had gotten a scholarship to study fashion in Milan, Evans said.

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NAACP to hold forum on racism

The Tribune

CONCORD — The NAACP will hold an educational forum here Saturday on racial intolerance, and plans to bring some of the people who say they have been victimized, an NAACP official said yesterday.

Attending will be relatives of Timothy Lee, the young gay black man found hanged here Nov. 2, and "others who have moved out of Concord because of prejudice," said Violet Robinson of the civil rights group's Oakland office.

Timothy Charles Lee
*44-2373**
(1/13/86)

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Hanged man's friend living 'a nightmare'

By Carolyn Newbergh
The Tribune

CONCORD — The Berkeley man identified by a Los Angeles handwriting expert as the author of a suicide note found next to the hanged Timothy Lee said yesterday his life is "becoming a nightmare."

After news stories Wednesday indirectly linked him with the death of the black man found hanged near the Concord BART station last Nov. 2, the man admitted to having a harrowing day: he was interviewed by Concord police, flooded with press inquiries and his grandmother died.

The young man, a close friend of Lee's, said he thought it unwise to talk to reporters without advice from a lawyer.

"It's becoming a nightmare," he said. "This is really unfair. I've got to take care of it the right way."

Concord police contacted the man after graphologist Andrea McNichol submitted a report saying the friend wrote the note, not Lee, who also lived in Berkeley. Afraid of a lawsuit, she has not named anyone publicly.

Like Lee, the friend is 23, black and gay.

Capt. Bob Evans said the friend is not a suspect in the case and police still regard the fashion-design student's death as a suicide. The friend is being regarded as a "witness" to help police better pin down Lee's cir-

cumstances and state of mind just before his death, Evans said.

Evans said police expect to reveal the results of the "continuing investigation" today.

A state Department of Justice forensic handwriting analyst has stated that Lee wrote the note himself, police said.

Evans said two detectives were assigned all day yesterday to follow leads arising out of the talk with the friend in a West Berkeley restaurant Wednesday night.

The police department's conclusion that Lee killed himself was never accepted by his family or the National Association for the Advancement of Colored People, which maintains it was a lynching.

The troublesome case took several other turns yesterday.

Berkeley police said they were investigating a complaint from Lee's younger sister Tammy that she had gotten an "annoying or disturbing" telephone call from the friend identified by the graphologist.

The man commented, "I don't know anything about that."

McNichol, a highly regarded graphologist, said she had received numerous "threatening" phone calls yesterday.

She said, "This is what you get for volunteering your services -- scared."

She said she sticks by her finding "100 percent" that the friend wrote the suicide note, not Lee.

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B-3 The Tribune
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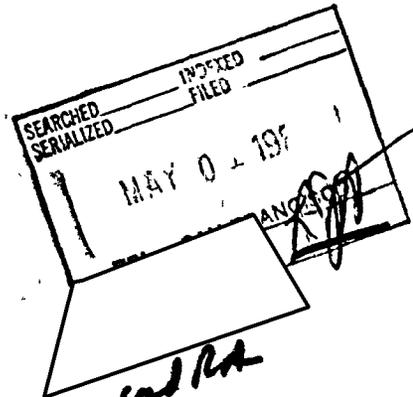
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Timothy Charles Lee
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(1/13/86)



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Friend in Concord hanging changes his story

By Stephen C. Cook
OF THE EXAMINER STAFF

CONCORD — Timothy Lee, whose hanging death near the BART station here last November sparked allegations of lynching, was so depressed he openly discussed suicide a few hours before he died, police said today.

This information, which caused the department to repeat its conclusion that the gay fashion design student was a suicide rather than a murder victim, was obtained from Lee's roommate, Cliff Robert Evans, said...

Russell Wright, believed to be the last friend Lee talked to before his death, told police he had lied and described Lee as being depressed and upset before his death because he wanted to spare his friend's family.

Actually, the last thing Lee told him in a telephone call from the BART station shortly before 2 a.m. Nov. 2 was, "Maybe I'll throw myself in front of a car," Wright told police.

Wright gave police a written statement in which he referred to an earlier statement he had given to the National Association for the Advancement of Colored People as it searched for the assassin of an alleged black leader. Wright said he had been given a copy of a hanging report by police...

"I am declaring that statement as false and invalid," Wright said in his report to the police about his earlier remarks.

Thordie Ashley, who has been in charge of the NAACP probe, said today she still believes Lee was murdered.

"I'm extremely angry and disgusted" that police would rely on Wright's new statement, she said.

"Either he was lying in the first statement or in the second. Why is his statement now so credible?"

The police are stupid and childish (to put any credence in Wright's new statement). I'm just glad I don't have to live in a city where my safety is entrusted to this type of police program. I don't believe anything the Concord police say now.

The statement by Wright was one of several on which the NAACP based its suspicions that Lee was murdered. The NAACP's suggestion that a lynching had occurred in this fast-growing suburban city prompted widespread media attention from here to New York, and a special FBI investigation.

"I wrote that (original statement) because I didn't think this case would go that far," Wright told police.

"I also wrote that statement because I believed I could ease the pain for his (Timothy's) sister."

Lee, 23, and his sister, Tansy, were unusually close. He had written for her since their mother's death seven years earlier.

"Timmy had no reason to kill himself," Tansy said.

Wright now has told police that he wrote the statement because he couldn't face her with the truth.

"But the truth is, I remember his depression and low-key behavior a week prior to his death. He seemed down and easily upset."

On the day of his death, Lee was legally drunk. He had grabbed the last BART train of the night, slept past his stop in Berkeley and awakened to find himself stranded in Concord at 1:15 a.m. on a Saturday. In his unsuccessful search for a ride home that night, Lee finally talked with his roommate, Wright, who had no car and was unable to find someone who could drive to Concord to help him at that hour.

Wright said, "A person at the BART station had told him that the station was closed and (that) he had to leave. At that time, I asked what he was going to do and he said, 'Maybe I'll throw myself in front of a car.' I overlooked the statement and told him to call back in a few minutes. He hung up, and that was the last I heard from him."

Evans said the police had never bothered to interview Wright before because they were aware of the statement the roommate had given the NAACP.

Then, last week, a Southern California graphologist, invited by the NAACP to analyze Lee's purported suicide note, told the police that she had compared the handwriting on the note with the handwriting in Wright's original statement and concluded that the roommate had written the suicide note.

This was not the case, Evans said. A state expert was asked by police to compare both Lee's and Wright's handwriting with the suicide note. Once again, that expert concluded...

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1 S.F. Examiner
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Charles Lee
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Lee had written the note. Wright did not, he said.

The graphologist's allegation prompted police to interview Wright, though, and make certain of other checks that had not been made before Lee's death was declared a suicide.

Because Wright told the officers that Lee had been particularly upset over his attempts to complete a self-portrait for one of his art classes, investigators decided to check with the schools Lee had attended.

"He had been described to us as an up-and-coming designer student with a scholarship or grant to study in Milan," Evans said. Now, "we were unable to locate anyone who knows about that" study grant.

At the Fashion Institute of Design Merchandising, a school Lee left last year, "we now understand he had two F's, two C's and one A," Evans said. "This is a little different (from) what we were led to believe."

Originally, Evans said, the department had decided Lee's death was a suicide because of its analysis of the crime scene, the evaluation of the coroner and the statement of Lee's friend, Robbin Davis, that he was not surprised his friend would kill himself.

The NAACP investigation was spurred by Tammy Lee's contention that her brother could not kill himself; by the statement of friends that he was happy, not depressed; and by the fact that two white men in Ku Klux Klan robes had assault-

ed two black men in another part of Concord at about the time Lee arrived by BART train that night.

As a result of questions raised by the NAACP, the Concord Police Department has spent much more time on the Lee case than it normally would on a homicide, about the number of hours it would spend on a robbery-homicide, Evans said.

As issues come up, if you're responsive to the public, particularly where a lot of controversy is involved, you're going to check them out.

"Unfortunately, some of the

things that were brought up I don't think painted an accurate picture of our community."

Evans was referring to allegations of racial discrimination and open bigotry in the community, of suggestions that there was a local chapter of the Ku Klux Klan.

"It was like the questions of when did you stop beating your wife. That's difficult to deal with. We attempted to focus on the facts of this case."

The department was criticized for calling Lee's death a suicide after a day of investigation, but Evans said.

"The question is, always, how much is enough investigation? We always have more work to do than the manpower available. I don't know what else we could have done."

Now, he says, investigators are pursuing more leads, talking to more people who knew Lee well, then the department will probably issue another press release, once again stating its conclusion that Timothy Lee killed himself by hanging in the fig tree behind the BART parking lot.



Timothy Lee

Roommate now says Lee was depressed before his death

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New Concord Probe Still Calls It Suicide

By Michael Taylor

A stepped-up police investigation into the death of Timothy Lee confirms investigators' original conclusion that the young man killed himself.

Concord detectives interviewed close friends of Timothy Lee this week and were convinced he was not always a happy person and very well could have committed suicide, said police Captain Robert Evans.

After Lee's body was found November 2, hanging from a tree near the Concord BART Station, police members and the NAACP, a 23-year-old fabric designer who was happy and had no reason to take his life. They charged he was murdered because he was gay and black.

Lee's sister said yesterday she still believes her brother was murdered, no matter what anybody says. NAACP spokeswoman Thelma Ashley said she disagrees with the police conclusion on Lee's death and charges the police are trying to embarrass the NAACP.

But one of Lee's closest friends, Robbin Davis, who knew him for eight years, said in both his interviews with the police in November that he was convinced Lee committed suicide.

Russell Wright, Lee's roommate and also a close friend, told The Chronicle. That week before he died, he was acting depressed. He was saying things that indicated he was thinking suicide. At the time, I was depressed too and I was talking about suicide. I was joking. But it didn't seem like a joke with him.

The last thing he said to me was, 'I think I'll just throw myself in front of a car.'

The new interviews with at least four people who knew Lee indicate there was another side to Timothy Lee, Evans said.

In the past, there have been enough perplexing events, real or imagined, to fuel suspicions

that Lee may have been murdered.

Among the most important are these:

■ A Los Angeles handwriting expert claimed the suicide note found near Lee's body was not written by Lee. She said it was written by someone whose handwriting was on a document in possession of the NAACP. State Department of Justice handwriting experts said Lee wrote the note. They also said there were no similarities between the questioned document and the suicide note. The person who wrote the questioned document is not a suspect in the eyes of the police, and has a "confirmed alibi" for the night of Lee's murder.

■ Two white men, dressed in Ku Klux Klan robes, attacked two black men on the same night Lee died. Later investigation showed the two incidents were coincidental.

■ Two people who live near the BART station said they heard screams between 1 and 2 a.m. the morning Lee died.

■ County coroner's officials decried the strap with which Lee was hanged from a fig tree branch as standard practice in apparent suicide cases, officials said. In the future, possible evidence will be preserved until the investigation of a suspicious case is completed.

The Chronicle has confirmed from telephone records that one of Lee's friends in El Cerrito called him at one of the Concord BART

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station pay phones at 1:19 a.m. Lee had called her about a ride home to Berkeley. During the next 40 minutes, Lee was on the phone with the El Cerrito woman and with his roommate, Russell Wright. After his last conversation with Wright, he apparently left the BART station. His body was found hanging in the tree shortly after noon November 2. Police tried, without success, to persuade a Contra Costa County judge to allow them to subpoena telephone records for the pay phones at the station.

The judge turned down the request because there was no evidence a crime had been committed. Even if the subpoena had been successful, it would not reveal anything because, assuming Lee used coins in the pay phone, there are no records of calls made from that kind of telephone, according to a Pacific Bell spokesman.

Lee's sister, Tammy, insisted yesterday that "he was not suicidal. I don't care what Robbin Davis says

or what anybody else says. I'm pretty convinced it was not suicide."

Police said they will continue to investigate the case in order to allay lingering suspicions that Lee was murdered.

"We may never know why Lee committed suicide," Detective Tony Costa said. "We cannot get into somebody's head, so the answer may never be known."

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CONTRA COSTA TIMES
WALNUT CREEK, CA
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Motorcycle club linked

CONCORD — Timothy Lee's family says it has known since January that a Concord woman has evidence that the young fashion design student was murdered by members of a motorcycle club.

In another development, Concord police have checked a fingerprint found on the suicide note they say Lee left, and they found it did not match Lee's prints or his roommates'.

Concord police Capt. Bob Evans said the envelope the note was written on may have been handled by dozens of people before it was mailed to Lee and that the presence of an unidentified print is typical.

Lee's roommate, Russell Wright, was named two weeks ago by a Los Angeles handwriting expert as the person who wrote the note found near Lee's body when he was discovered Nov. 1 hanging from a fig tree in a vacant lot near the Concord BART station.

Concord police maintain Lee committed suicide by hanging himself with his backpack strap. His family and representatives of the NAACP have steadfastly maintained the 22-year-old black man was murdered by racists who happened upon him after he fell asleep on a BART train and was stranded in Concord.

But family members have changed their minds and now say they have known since January that Lee's best friend's sister claims to know several motorcycle club members who sexually assaulted Lee and forced him to write a suicide note before they hanged him.

On Friday, Lee's sister, Tammy Lee, said she was told in January by Lee's best friend Gary Caspillo of Concord, that his sister knows the murderers, according to NAACP leader Thordie Ashley.

Caspillo's sister told her brother she is friends with the men but now fears for her safety because they take illegal drugs and claim to have sexually assaulted Lee and killed

to Timothy Lee death

him, Ashley said. Ashley said Tammy Lee told her lawyer, George Korte, of San Francisco, about the conversation in January.

Caspillo did not return calls for comment.

Concord police Capt. Bob Evans said his investigators have no evidence to support the theory Lee was killed by a motorcycle gang.

"They have never provided this information to the Concord police. We have conducted an independent investigation of a similar rumor and we have found no substance to these comments," Evans said.

He would not reveal what theory police are currently researching but

said they still have two more people to interview.

"There is still no evidence to indicate this was anything other than a self-inflicted death by Timothy Lee," Evans said.

The case has been complicated by handwriting experts who disagree who wrote the note, Wright's admission that he lied in his original statements to police, and by claims that the Ku Klux Klan killed Lee.

Ashley now believes an anonymous call to the NAACP on Jan. 16, in which a woman said someone from the KKK held a gun to Lee's head, may have been a ruse to throw off investigators.

"Our theory is that this case took a bizarre twist. The calls could have been made to throw the NAACP off. Possibly they were made so the NAACP would think it was racially motivated, rather than that it was done by friends or that it involved drugs," Ashley said.

The same night Lee died, two black men outside the Terrace Bar were stabbed by two white men wearing KKK-style robes.

"Whoever trashed Timmy used the KKK as an excuse. They figured they had one KKK (stabbing) up here. So the murderers started changing tactics and filtering information to the police," Ashley said.

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CONTRA COSTA TIMES
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Analyst: Lee's friend wrote suicide note

By Per Mansson
 Staff writer

CONCORD — Police planned to interview a friend of Timothy Lee on Wednesday night who was named by a handwriting expert as the author of a suicide note left near the tree where Lee was found hanging last year.

Andrea McNichol, a handwriting examiner from Los Angeles retained by the NAACP to study the suicide note, said she was convinced the note was not written by Lee, a 23-year-old Berkeley man whose limp body was discovered hanging from a fig tree near the Concord BART station Nov. 2.

"It's not his (Lee's) handwriting, which means there was foul play," said McNichol, director of Los Angeles-based Graphology Consultants International.

She called for a third opinion from another handwriting expert after state Department of Justice forensic experts disagreed with her findings and concluded for the second time the note was written by Lee.

Capt. Bob Evans said Concord police stand by their original conclusion that Lee committed suicide.

The man named by McNichol knew Lee "very well," but he was not considered a suspect, said Evans. He added police wanted to talk to him only as a possible witness who might provide information about the death of Lee, whose fam-

ily insists he could not have committed suicide and must have been murdered.

Police would not reveal the man's identity since he was not a suspect. But Lee's stepmother, Elizabeth Casey, and his sister, Tammy, said they had heard who the man was and expressed disbelief.

"It's really shocking — it's such an about-face" from one theory advanced by the family and the NAACP that Lee was perhaps murdered by members of the Ku Klux Klan, said Casey.

"They appeared to be good friends," added Casey.

McNichol sent her findings last week to Concord police, the FBI and the state Department of Justice. Wednesday she was interviewed by the FBI in Los Angeles, FBI spokesman John Holford said.

Concord police Friday asked the same forensic experts to take another look at the evidence, and compare the original of Lee's suicide note with samples of his writings, Evans said.

"They came to the conclusion that the person she (McNichol) named was not the author of the suicide note," Evans said.

As a result, said Evans, "Nothing has changed. No conclusion can be reached other than it was suicide."

NAACP leader Thordie Ashley described McNichol as a "very conscientious and very noteworthy person" in her field. "I have reason to believe that everything she says is true."

Ashley said she did not believe the man named by McNichol acted alone. "I have always felt that more than one person attacked Lee," said Ashley.

McNichol said she based her conclusion on several documents sent to her by Ashley, including handwritten reports and statements by police officers, and Lee's friends and neighbors.

"It doesn't look like any of the suicide notes I've ever seen," she said.

Suicide notes are usually very clean, very slow, very depressed, very final, usually written in a small style — exactly the opposite of that note.

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Concord Hanging

Expert Challenges Suicide Note Ruling

By Michael Taylor

A Los Angeles handwriting expert is challenging the Concord police ruling that a young black man found hanging in a tree last year wrote a suicide note himself.

Andrea McNichol, director of Graphology Consultants International, said her analysis of a newspaper reproduction of the note raises enough questions to warrant an independent examination.

McNichol said she has volunteered her services to the NAACP, which has been asking Concord police to reopen their investigation into the death of Timothy Lee, who was found hanging from a tree near the Concord BART station on November 2.

Near Lee's body was found a note, which appears to read: "To Tami & Tom I love yoyo sorry Timm." Lee is survived by a sister, Tammy, and a brother, Tom.

The note was sent to the questioned documents examiners at the state Department of Justice. Three weeks after Lee's death, the state experts said they were satisfied that the note was authentic.

Since then, Lee's family and the NAACP have accused Concord police of indirectly condoning an atmosphere of racism in the city of 103,000. Lee's death occurred on the same night two white men wearing Ku Klux Klan robes attacked two black men in a tavern parking lot.

The FBI has begun its own civil rights investigation into the case but declines to report on its agents' progress. Concord police said they made an exhaustive investigation of the case and could not find any evidence that would make them change their decision that the 23-year-old Lee committed suicide.

McNichol said in a letter to the Oakland office of the NAACP that changes in the writing styles of the note, such as "the sudden switch to printed letters and sudden tangling of the writing..." indicate that the "top part of the note was penned at a different time and then someone else or someone holding Timothy's hand wrote the second half."

She said the note "is not the writing of a suicidal individual whatsoever." State Department of Justice officials declined to comment on McNichol's opinions and said they had returned the note and its envelope to Concord police.

McNichol said she had asked the NAACP to obtain the original note, but Concord police Lieutenant Al Jordan said he had not received a request for it.

Last month, Lee's stepmother, Elizabeth Casey, and sister filed claims totaling \$3 million against BART, the city of Concord and Contra Costa County.

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5 S.F. Chronicle
San Francisco, Ca.

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B-3 The Tribune
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Concord groups to detail bias they've encountered

Bay City News Service

CONCORD — A spokeswoman for the city's Community Services Commission says it will be sending letters to local religious and ethnic minority groups soon asking for details of any discrimination they may have encountered.

Hawley Holmes says the commission decided on the move last night after a subcommittee recommended an effort be made to substantiate numerous allegations of discrimination in the city. The allegations have been made since the Nov. 2 hanging death of a young black man and the stabbings the same night of two other blacks.

Police have insisted since then that 23-year-old Timothy Lee, a gay black man, committed suicide and that no connection has been established between his

death and the stabbings of the two black men outside a Concord bar.

If evidence of discrimination turns up, Holmes says, the city will take positive steps to deal with it.

One such step would be to reactivate the city's Human Relations Task Force that was set up in 1982 to investigate reports then of incidents of racism.

Holmes says the task force met for 18 months and found "nothing of a very violent nature." Actions taken by the task force then included engaging a World War II concentration camp survivor to lecture local groups on discrimination.

Holmes says a decision by the commission on whether to revive the task force will be made after feedback from the local minority groups is reviewed.

*Timothy Charles Lee
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CONTRA COSTA TIMES
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Lee's roommate

By Per Mansson
Staff writer

CONCORD — Timothy Lee's roommate has admitted lying three months ago when he testified Lee was in high spirits before his hanging death in Concord Nov. 2.

Lee was actually depressed and suicidal, according to a written statement released by Concord po-

lice Monday.

In his first statement in December, Russell Wright, who had been Lee's roommate for the past few years, described Lee as a "happy person."

But Wednesday, Wright wrote a second statement in which he described Lee's "depression and low key behavior" a week prior to his

death," police said.

Police believe Wright is telling the truth in his second statement which agrees with other statements to police that Lee was depressed before his death, said Capt. Bob Evans.

Wright wrote the second statement after a Los Angeles graphologist told police, the FBI and the

now says he lied

state Department of Justice that she believed Wright had written a suicide note found near Lee's body.

A justice department forensic handwriting analyst has ruled three times in five months that the note was written by Lee.

Evans said fingerprint tests were being conducted on the envelope on which the suicide note was written.

The laboratory tests are expected to be completed next week.

Evans said Monday that Wright is not a suspect in the case because two people support the 23-year-old Berkeley man's statement that he was home on Nov. 2.

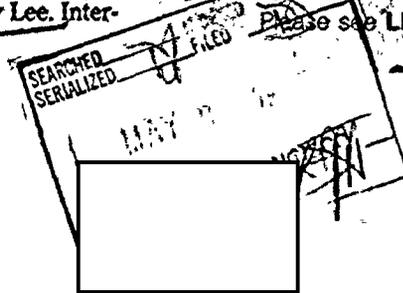
The two people, Brian Austin and Michael Woolridge, are friends of Wright who also knew Lee. Inter-

viewed last week by Concord detectives, the two men said they stayed over at Lee's and Wright's house in Berkeley on Nov. 2, Evans said.

He said police stand by their original conclusion that Lee hanged himself.

That conclusion has been bitterly disputed by Lee's family and the

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From Page 1A

NAACP, which have said the aspiring fashion designer had too much going for him to commit suicide.

After his death, the NAACP and Lee's sister, Tammy, went to several people who knew Lee, asking them to describe his state of mind in the days before his death.

All the statements, including Wright's, described Lee's good outlook and enthusiasm for life, and found it unlikely that he hanged himself.

In his new statement, Wright painted a different picture of the roommate he had met at Berkeley High School.

"He seemed to be down and easily upset on the night that I called him at the BART station," said Wright, who is one of the last people Lee is believed to have talked to Nov. 2.

When Wright failed to find a ride home for Lee, who was stranded in Concord when the BART trains stopped running, Lee became upset.

"I asked him what he was going to do, and he said, 'Maybe I'll throw myself in front of a car.'"

Wright had an explanation for what he called his "false and invalid" initial statement to police.

"I wrote it because I didn't think the case would go this far. I also wrote it because I believed that I could ease the pain for his sister. I thought I would help her out. I wrote the statement because I thought I couldn't face her with the truth" of Lee's unhappiness.

Evans said Lee earned two F's, two C's and one A during his last semester at the San Francisco Academy of Arts. Shortly before his death, Evans said, Lee had transferred to the Fashion Institute of Design and Merchandising.

(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state.) Page A-1
THE TRIBUNE
OAKLAND, CA
 Date: 3/18/84
 Edition:

Police release new evidence of Lee's depression

By Carolyn Newbergh
 The Tribune

CONCORD — A young black man whose hanging death here last November has sparked unceasing controversy was depressed and had threatened to throw himself "in front of a car" just before he died, according to new evidence police released yesterday.

Timothy Lee's last words to the roommate who couldn't find him a ride home from Concord BART the night he died were, "Maybe I'll throw myself in front of a car," police said yesterday.

The portrait of Lee as troubled conflicts sharply with the opinion of his sister Tammy and the National Association for the Advancement of Colored People, who have maintained he was too happy to kill himself.

Police delved further into the final days of the 23-year-old fashion design student last week after a Los Angeles handwriting expert said Berkeley roommate Russell Wright forged Lee's suicide note.

Wright, other roommates and friends said last week that Lee was depressed and highly moody just before his death, Capt. Bob Evans said.

Their insights further confirmed the conclusion of police several days after the Nov. 2 hanging that Lee's death was a suicide, he said. Wright was never a suspect in the death, he said.

In a report to police last Wednesday, Wright said he had written a false statement in December describing Lee as "basically" happy for Tammy Lee to give to the NAACP. He said in a

Tribune interview that that statement was meant to help Tammy Lee get Concord police to reopen their investigation.

In last week's report, Wright said: "I wrote the statement because I thought I couldn't face her (Tammy) with the truth."

"But the truth is I remember his depression and low-keyed behavior a week prior to his death. He seemed to be down and easily upset."

Wright, who does not own a car, had tried to find Lee a ride home from the Concord BART station, where he was stranded after falling asleep on the train.

When he couldn't and asked Lee what he planned to do, he answered, "Maybe I'll throw myself in front of a car," according to Wright's statement.

Wright said he "overlooked" the comment and told Lee he would continue to try to get him a ride.

Wright's belief that Lee was depressed enough to kill himself was shared by two other roommates police interviewed last week and a friend spoken to earlier, Evans said. There are others who disagree, he said.

Evidence gathered last week also indicates Lee may have committed suicide because he was having trouble in his fashion design career, Evans said.

His last grades before quitting the Fashion Institute of Design and Merchandising were one A, two Cs and two Fs, Evans said. Also, police have never been able to substantiate family claims that he had gotten a scholarship

See EVIDENCE, Page A-13

Title:

Character: #CR
 or
 Classification: 44
 Submitting Office: SF

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 MAY 1984
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Evidence

Continued from Page A-11
to study fashion in Milan, Evans said.

And other roommates and friends interviewed said Lee had been moody in his last weeks and had trouble drawing a self-portrait for a class at his new art school, the San Francisco Academy of Art.

Also, Evans said he may have been upset about crowded living conditions in his Berkeley studio, where he had three roommates.

The revelations about Lee met with disgust from Thordie Ashley, the Emeryville NAACP official who has pushed for further probing into Lee's death.

"It appears his friends are all big liars," she said.

She said Wright's words are being taken as though they were from Jesus Christ or the Bible.

"All of a sudden he's (Wright) shooting off at the mouth," Ashley said. "All of a sudden he's the most credible witness in the whole thing."

And Tammy Lee said she is confused by the change in Wright's statement. "I don't know what to think," she said.

She said she would "follow the steps of the NAACP" and is thinking of talking to the Federal Bureau of Investigation, which is conducting its own probe into Lee's death.

As for the Concord police, Chief George Straka admitted yesterday he "regrets" not talking earlier to Wright, probably the last person to speak to Lee.

"Yes, we should have talked to that friend earlier," Straka said. "We talked to others who knew him, and we thought that was enough."

Police said they hope the friends' statements will help close the case. Evans said police still plan to try lift fingerprints from the envelope of his suicide note. More detailed police reports will be available by the end of the week, he said.

44A-2373-67

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MAR 18 1986 1	
SAN FRANCISCO	
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Concord Cops Rule Out A Suspect

By Michael Taylor

Concord police said last night that the person whose handwriting is alleged to be similar to a suicide note found near the body of a young black man in Concord last fall is not a suspect in the baffling case.

Andrea McNichol, a Los Angeles handwriting expert said Tuesday that the penmanship of a suicide note found near Timothy Lee's body last November was similar to writing found in one of the many documents relating to the highly publicized case.

After an interview last night with the person who wrote the questioned documents, Concord detectives said they have concluded that person neither murdered Lee nor wrote the suicide note.

Concord police and Contra Costa County officials ruled last year that Lee killed himself, effectively closing the case. But they reopened it when new information, such as the current handwriting dispute, surfaced.

Police declined to identify the person they interviewed. Because he is not a suspect in the case, "it would be irresponsible to connect him with this" incident, said Captain Robert Evans.

The body of the 23-year-old Lee was found hanging from a tree near the Concord BART station.

Family members and the NAACP maintain Lee was murdered because he was black and gay and was stranded late at night in a city the NAACP says is rife with racism.

The latest wrinkle in the case boiled down to an apparent difference of opinion over handwriting samples. McNichol claimed Lee did not write the suicide note found near his body. State Department of Justice analysts said, based on their comparisons with other examples of Lee's writing, that Lee wrote the note.

*Timothy Charles Lee
44-2373* (1-7-86)*

(Indicate page, name of newspaper, city and state.)

Date: 3-13-86
Edition: 6 Star
2 S.F. Chronicle
San Francisco, Ca.

Title:

Character:
or
Classification:
Submitting Office: SF

Indexing:

SEARCHED _____	INDEXED _____
SERIALIZED _____	FILED _____
1 File FBI - SAN FRANCISCO COPY J	

44-2373-69

WBR:DLB:ASG:vlk
DJ 144-11-1214

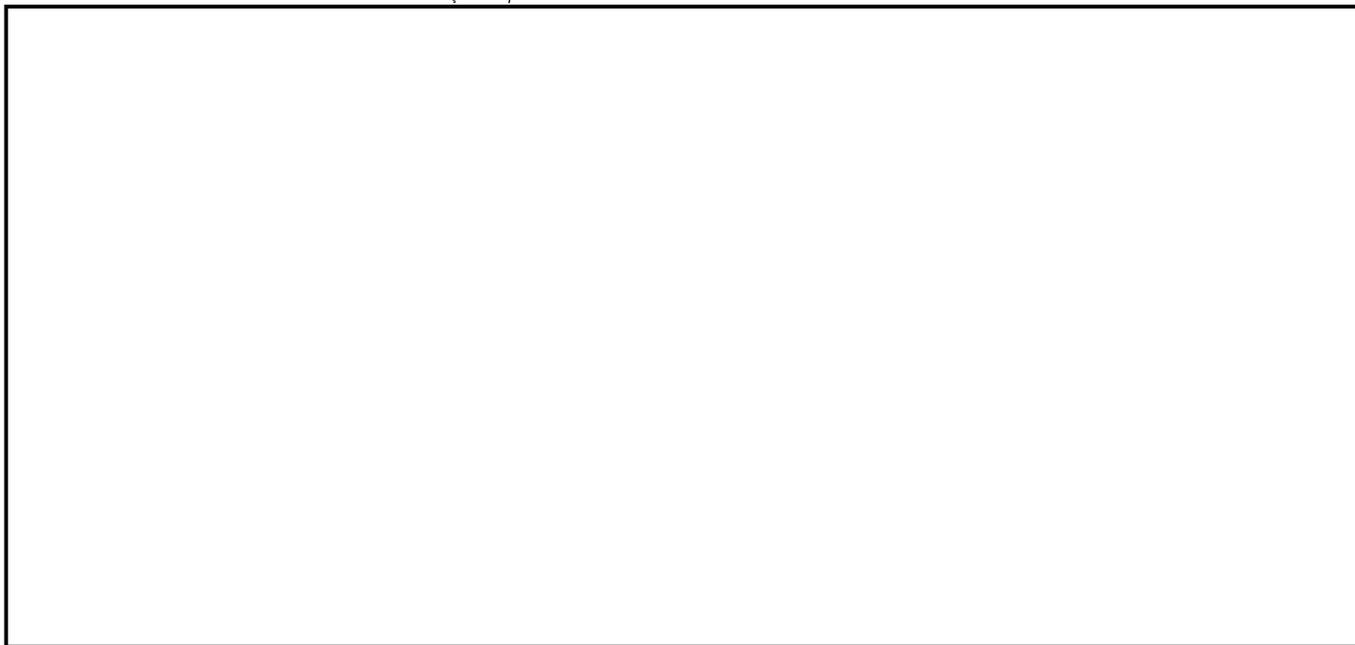
Unsub(s);
Timothy Charles Lee - Deceased - Victim
Civil Rights

APR 14 1986

Director
Federal Bureau of Investigation

Wa. Bradford Reynolds
Assistant Attorney General
Civil Rights Division

Reference is made to your Field office file number SF
44A-2373.



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APR 28 1986	
FBI - SAN FRANCISCO	

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44A-2373-70

TRANSMIT VIA: AIRTEL

CLASSIFICATION: _____

DATE: 4/24/86

FROM: Director, FBI

TO: SAC, San Francisco (44A-2373)

UNSUBS;
TIMOTHY CHARLES LEE-VICTIM(DECEASED)
CIVIL RIGHTS
OO: SAN FRANCISCO

Enclosed are two copies of a Department of Justice letter dated 4/14/86 requesting investigation in captioned case.

This request has been reviewed by the Civil Rights Unit, FBIHQ, and unless reasons exist to the contrary, you are to complete the requested investigation in accordance with the provisions of Section 44, Manual of Investigative Operations and Guidelines, and submit results within 21 workdays of the receipt of this communication.

~~Submit FD-302 within 5 workdays of receipt of this communication.~~

Remarks:

2 Enc. Recvd. A.N.

Enc. (1)

Rec'd 596 4/30/86
JJA

Received at ORA
Squad 2
Date 5/5/86
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A
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SEARCHED	INDEXED
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APR 28 1986	
SAN FRANCISCO	
<i>WBS</i>	

44A-2373-711

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TRANSMIT VIA: Airtel

CLASSIFICATION: _____

DATE: 11/13/86

FROM: Director, FBI

TO: SAC, San Francisco (44A-2373)

UNSUB(S);
TIMOTHY CHARLES LEE - VICTIM (DECEASED)
CIVIL RIGHTS
OO: SAN FRANCISCO

Re telcal between SSA [redacted] Civil Rights
Unit, FBIHQ and SSA [redacted] on 11/12/86.

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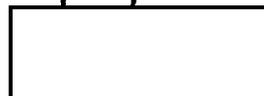
Enclosed is a copy of closing memorandum from the
Civil Rights Division, Department of Justice concerning captioned
matter.

Accordingly, San Francisco may consider this case
closed.

Enclosure

SEARCHED	INDEXED
SERIALIZED	FILED
NOV 17 1986	
SAN FRANCISCO	

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44A-2373-72

[Handwritten signature]

Memorandum



Subject Notice of File Closing CIVIL RIGHTS MATTER	Date OCT 29 1986
--	---------------------

To
Director
Federal Bureau of Investigation

From
WR Bradford Reynolds
Assistant Attorney General
Civil Rights Division

Reference is made to your field office file captioned as on the attached closing form and numbered 744A-2373. This matter has been closed as of the date on the attached form.

SEARCHED _____	INDEXED _____
SERIALIZED _____	FILED _____
NOV 17 1986	
FBI - SAN FRANCISCO	

CIVIL RIGHTS DIVISION

Notice to Close File

OCT 29 1986

File No. 144-11-1214 Date _____

To: Chief, Criminal Section

Re: Unsub(s),
Timothy Charles Lee (Deceased) - Victim
Civil Rights

It is recommended that the above case be closed for the following reasons:

On Saturday, November 2, 1985, at about noon, a citizen in Concord, California, spotted victim Timothy Lee's body hanging in a fig tree near the Concord BART station. The Concord Police Department responded, investigated, and concluded that Lee committed suicide. The Oakland NAACP Branch, citing family beliefs that race or sexual preference may have been someone's motive to kill Lee, requested that the FBI investigate. The Bureau submitted its report which includes its investigation and the Concord Police Department's material.

Victim Timothy Lee was a 23 year old black homosexual who worked in San Francisco and lived in Berkeley. Late Friday

[Redacted Signature]

Attorney

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To: Records Section
Office of Legal Administration

The above numbered file has been closed as of this date.

[Redacted Signature]

Date

Chief, Criminal Section

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FORMERLY CVR-3 FORM CL-3

night, November 1, 1985, Lee fell asleep on the last BART train on the Concord line, missed his stop, and had to leave the train in Concord because the train system then closed for the night. Lee telephoned a friend's mother and then talked with his roommate in Berkeley, trying to get someone to come to Concord and pick him up. They did not have cars so could not come and meet him. The next day at noon a citizen saw his dead body in the tree. A note was found near the body which said "To [redacted] [redacted] I love you. Sorry. Timm".

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Lee's body showed no signs of trauma, except for minor abrasions on one arm which probably were caused by a tree limb. There were no signs of a struggle or any sexual abuse. Lee had eight one dollar bills and a credit card in his pocket when found. The autopsy report concluded that death was due to hanging. Ethanol in the blood was 0.13%. A sheriff-coroner report noted the time of death as about 8 AM.

A document examiner for California's Department of Justice compared the note with known writings of the victim. He concluded that "there is evidence to indicate" that Lee wrote the suicide note. He was unable to give a more positive opinion due to the limited writing on the note. [redacted]

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Several questions have been raised through the NAACP which challenge the suicide theory. Lee's [redacted]

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[redacted] In addition, along with pointing out Lee's race and sexual preference, the NAACP noted that there has been KKK activity in the Concord area. In fact, that same night, two individuals in Klan robes stabbed two black males in Concord. These persons have been arrested, charged, and convicted. Finally, a Los Angeles graphologist has claimed that Lee did not write the note but that Lee's roommate wrote it.

The FBI and the Concord Police Department interviewed

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[REDACTED]

[REDACTED] The questioned document examiner from the state laboratory who first examined the note later determined that [REDACTED] had not written the note. The FBI has declined our request that it submit the note to its lab for an additional opinion.

The two white persons who were dressed in Klan robes and stabbed two black men that same night in Concord were arrested and convicted. They were arrested at about 2:00 AM. Lee's time of death was estimated at 8:00 AM and he was on the phone at the BART station at about 1:30 AM.

There is virtually no evidence of homicide in this matter. The medical results are consistent with suicide and do not suggest any struggle prior to death. Suicide is also consistent with Lee's roommate's description of Lee's emotional state during the week preceding and on the night of his death. Lee's wallet and money were not taken. Although the black strap which Lee used to hang himself was destroyed by the coroner's office, it appears that the destruction occurred because they were convinced the death was a suicide. The principal question concerning this death is [REDACTED] opinion that [REDACTED] and not Lee, wrote the suicide note. California's questioned document examiner found evidence that Lee wrote the note and concluded that [REDACTED] did not write the note. Given the relative qualifications between these two examiners, [REDACTED] opinion is less worthy of reliance. In addition to lacking evidence of a homicide, there is no evidence of interference with a federally protected right. Thus, there is insufficient evidence of a federal criminal civil rights violation and no significant remaining avenues of investigation to hold this matter in abeyance. I recommend that this matter be closed. AUSA [REDACTED] (N.D. Ca.) concurs.

Memorandum



To : SAC, SAN FRANCISCO (44A-2373)

Date 7/9/86

From : SSA [redacted] ORA #2

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Subject : TIMOTHY CHARLES LEE
CIVIL RIGHTS

Re: 7/9/86 telephone call from [redacted] Civil Rights
Division, Department of Justice, to SSA [redacted] San Francisco.

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*Maintained
by Rotor 1*

① 44A-2373
1-SAC HELD
1-ASAC [redacted]

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SERIALIZED *114* FILED *114*
JUL 09 1986
FBI - SAN FRANCISCO

[redacted] *RSM*
44A-2373-73

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FBI

TRANSMIT VIA:

- Teletype
- Facsimile
- _____

PRECEDENCE:

- Immediate
- Priority
- Routine

CLASSIFICATION:

- TOP SECRET
- SECRET
- CONFIDENTIAL
- UNCLAS E F T O
- UNCLAS

Date 7/31/86

1 FM SAN FRANCISCO (44A-2373)(P)(CRA)

2 TO SACRAMENTO (ROUTINE)

3 BT

4 UNCLAS

5 UNSUBS; TIMOTHY CHARLES LEE - VICTIM (DECEASED); CIVIL RIGHTS;

6 OO: SF.

7 RE SF TELCALL OF SA [redacted] TO SA [redacted]

8 SACRAMENTO, JULY 31, 1986.

9 ADMINISTRATIVE: FOR INFORMATION OF SACRAMENTO, AT APPROXI-

10 MATELY 12:30 PM ON NOVEMBER 2, 1985, THE BODY OF TIMOTHY CHARLES

11 LEE, A BLACK/AMERICAN INDIAN, WAS FOUND HANGING ON A TREE LIMB

12 IN A VACANT LOT IN THE VICINITY OF THE BART STATION IN CONCORD,

13 CALIFORNIA. THE HANGING DEATH OF LEE WAS INVESTIGATED BY THE

14 CONCORD POLICE DEPARTMENT AND THE CONTRA COSTA COUNTY CORONER'S

15 OFFICE AND WAS LISTED AS A SUICIDE. A CIVIL RIGHTS INVESTIGATION

16 WAS INITIATED UPON RECEIPT OF A COMPLAINT FROM THE NAACP STATING

19 RJH/dc (1)

Approved: RH Transmitted 212/0028 937 Per [Signature]

(Number) (Time)

SEARCHED _____

SERIALIZED 04

INDEXED _____

FILED 04

44A-2373-74

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b7c

CRA

FBI

TRANSMIT VIA:

- Teletype
- Facsimile
- _____

PRECEDENCE:

- Immediate
- Priority
- Routine

CLASSIFICATION:

- TOP SECRET
- SECRET
- CONFIDENTIAL
- UNCLAS E F T O
- UNCLAS

Date _____

1 PAGE TWO SF 44A-2373 UNCLAS
 2 THE NAACP BELIEVES LEE WAS KILLED DUE TO HIS RACE AND SEXUAL
 3 PREFERENCE.

4 AN APPARENT SUICIDE NOTE WAS LOCATED NEAR THE BODY AND THIS
 5 NOTE WAS SUBSEQUENTLY EXAMINED AND COMPARED WITH THE VICTIM'S
 6 HANDWRITING BY THE BUREAU OF FORENSIC SERVICES, DIVISION OF LAW
 7 ENFORCEMENT, CALIFORNIA DEPARTMENT OF JUSTICE. THE EXAMINATION
 8 WAS CONDUCTED BY [REDACTED]

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9 TWO REPORTS HAVE BEEN SUBMITTED TO THE BUREAU IN THIS MATTER
 10 AND THE DEPARTMENT OF JUSTICE HAS SUBSEQUENTLY [REDACTED]

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11 [REDACTED]
 12 [REDACTED]
 13 LEAD. SACRAMENTO AT SACRAMENTO, CALIFORNIA: CONDUCT APPROP-
 14 RIATE INVESTIGATION AT THE CALIFORNIA DEPARTMENT OF JUSTICE,
 15 BUREAU OF FORENSIC SERVICES, TO DETERMINE [REDACTED]

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16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 BT
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21

Approved: _____ Transmitted _____ Per _____
 (Number) (Time)

FBI

TRANSMIT VIA:

- Teletype
- Facsimile
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PRECEDENCE:

- Immediate
- Priority
- Routine

CLASSIFICATION:

- TOP SECRET
- SECRET
- CONFIDENTIAL
- UNCLAS E F T O
- UNCLAS

Date 8/7/86

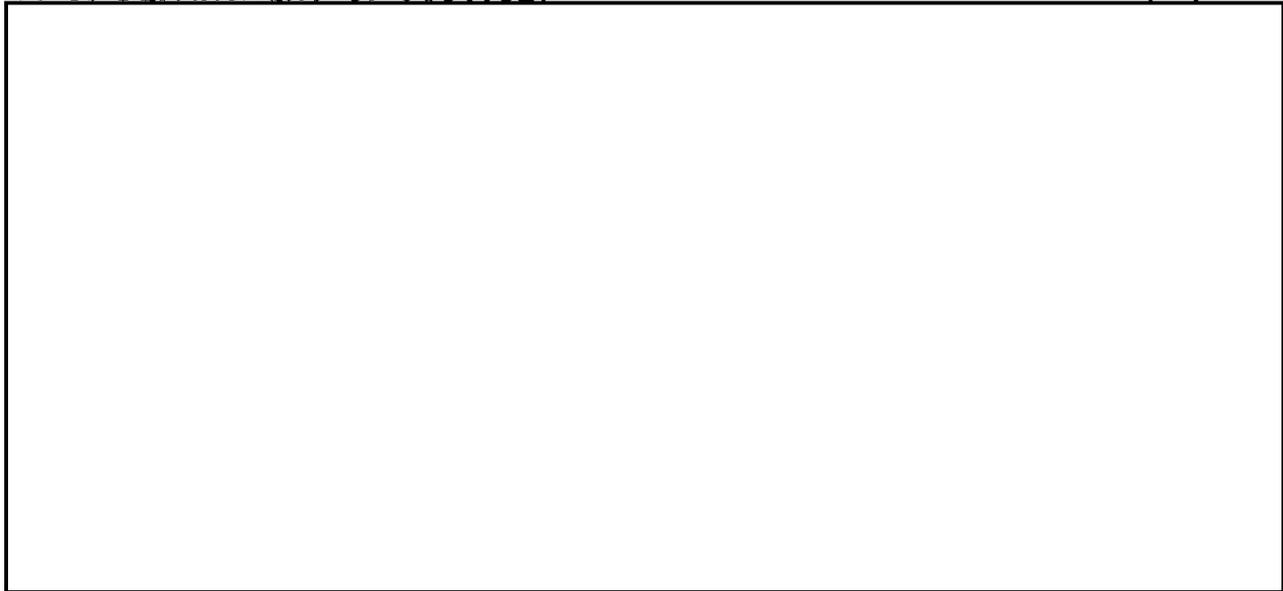
TO: SAC, SAN FRANCISCO (44A-2373) (CONCORD RA)

FROM: ^{TLK/208} SAC, SACRAMENTO (44A-2147) (RUC)

SUBJECT: UNSUBS;
 TIMOTHY HOWARD LEE - VICTIM (DECEASED)
 Concord, California
 November, 1985
 CR
 (OO: SF)

Re telephone call of SA [redacted] CONCORD RA, 7/31/86 to Sacramento Special Agent [redacted]

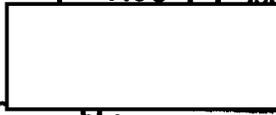
Referenced phone call was a relayed request by the U. S. DEPARTMENT OF JUSTICE [redacted]



② San Francisco
 1 - Sacramento
 BCD:mml
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AUG 11 1986



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44A-2373-76

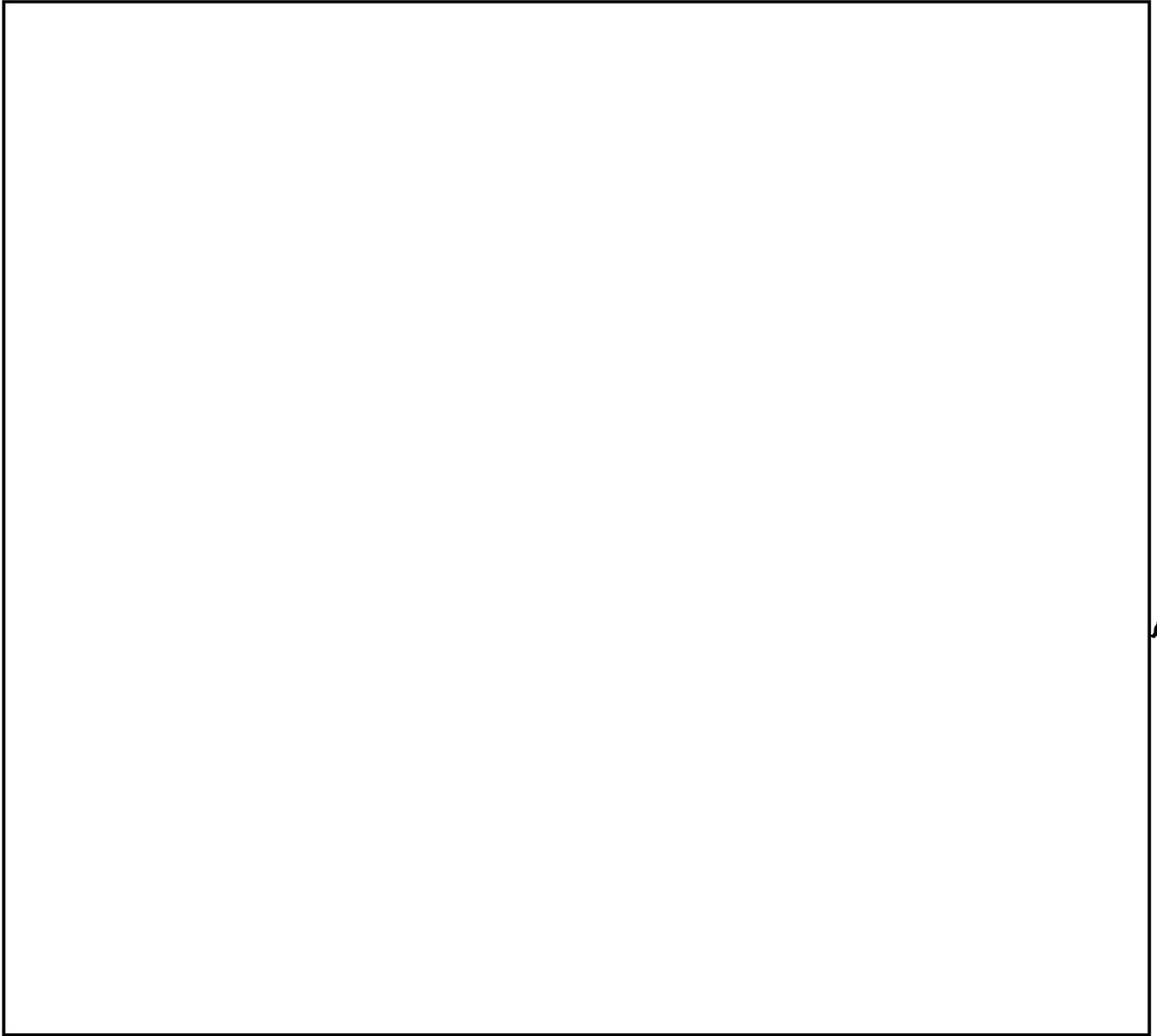
Approved: _____ Transmitted _____ Per _____
 (Number) (Time)

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SC 44A-2147



Sacramento is considering this matter RUC at this time.

(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state.)

8-12-86

Date: 8-12-86
Edition: Final
B-5 S.F. Examiner
San Francisco, Ca.

Title:

Character:
or
Classification:
Submitting Office: SF

Indexing:

Suit filed in hanging near BART station

By Joan Smith
OF THE EXAMINER STAFF

MARTINEZ — The sister of a black man found hanged last November near the Concord BART station has filed a wrongful-death suit against BART, Concord and Contra Costa County.

Tammy Lee's suit alleges that Concord and the county violated Timothy Lee's civil rights by failing properly to investigate his death. The suit accuses Concord and the county of destroying and concealing evidence and refusing to answer the Lee family's inquiries.

Filed Friday in Contra Costa County Superior Court and demanding unspecified damages, the suit also alleges that BART failed to make its Concord station safe for BART passengers. It also accuses Concord and the county of failing

to make the area around the station safe for pedestrians.

The body of 23-year-old Timothy Lee of Berkeley was discovered hanging from a fig tree by a backpack strap at about 12:40 p.m. last Nov. 2. He was found at a vacant lot just over the fence from the BART parking lot.

Concord police and the county coroner's office ruled the death a suicide and destroyed the backpack strap because it wasn't considered

"Even though the circumstances surrounding the death of the decedent were highly suspect and demonstrated a likelihood of foul play, defendants, the City of Concord and Contra Costa County, performed an unreasonable and wholly inadequate investigation of the death of decedent," according to the lawsuit.

Concord police Chief George Straka said he could not comment on the case, but added, "I stand by my previous statement that the investigation was adequate."

to be one of the valuables to be returned to Lee's heirs.

The coroner's office routinely saves evidence such as the strap in murder cases but typically destroys them in cases of suicide. Since Lee's death, the coroner's office has changed its policy and now keeps evidence in suicide cases for several weeks.

Despite the suicide ruling, Tammy Lee and the National Association for the Advancement of Colored People maintained that the death was a racially motivated murder.



Timothy Lee

Key evidence in his death was destroyed

Timothy Lee
Charles Lee
44-2373
(1/13)

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SERIALIZED FILED
SEP 25 1986



44A-2373-76

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Wrongful death lawsuit is filed by Timothy Lee's kin

By Erin Hallissy
Staff writer

MARTINEZ — The sister of Timothy Lee, a black man found hanged in a tree in Concord last November, filed a wrongful death lawsuit Friday against Concord, Contra Costa County and BART.

Tammy Lee claims in the suit filed in Contra Costa County Superior Court that Lee's civil rights were violated and that police didn't conduct a thorough investigation into his hanging.

Lee's body was discovered in a fig tree near the Concord BART station on Nov. 2. Police and the county coroner determined the cause was suicide but Lee's sister has maintained that Lee was murdered because he was black and openly homosexual.

Lee, 23, of Berkeley, had fallen asleep on a Bay Area Rapid Transit train and missed his station in Berkeley. He found himself at the Concord terminal after midnight, when trains stop running, and didn't have a way to get home.

He called a friend from the station but wasn't able to get someone to drive over and pick him up.

Police found him around 12:40 p.m. in a vacant lot on Mt. Diablo Street near Laguna Street. He was hanged from a backpack strap on the tree.

A note was found addressed to "Tami" and "Tom" saying he was sorry. But his sister said she has never spelled her name Tami and

that Lee called his brother Tommy.

The lawsuit alleges that "even though the circumstances surrounding the death of (Lee) were highly suspect and demonstrated a likelihood of foul play, defendant, the city of Concord and Contra Costa County, performed an unreasonable and wholly inadequate investigation of the death."

It also claims that evidence was destroyed and concealed and that authorities refused to answer the family's inquiries.

City officials could not be reached for comment Friday but when Tammy Lee filed a similar claim in February Concord's assistant attorney, Martha Whittaker, defended the police investigation, saying it was "full and thorough."

The backpack strap was destroyed by the Coroner's Office because the death was ruled a suicide and the strap wasn't considered among the valuables to be returned to heirs. The office has since changed its policy and will keep such evidence for several weeks in suicide cases. In homicide cases such evidence is routinely kept.

The lawsuit also alleges that the area around the Concord BART station was unsafe and that city and county officials knew that and yet failed to protect it.

The county and Concord violated Lee's civil rights by failing to protect him and performing "a wholly unreasonable investigation," the suit claims.

(Indicate page, name of newspaper, city and state) *Page 7A*
Contra Costa Times
Walnut Creek, Cal.
Date: *8/9/86*
Edition:

Title:

Character:

or
Classification: *44*
Submitting Office:

Indexing:

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44-2393-77

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Suit Filed in Concord Hanging Death

A wrongful-death suit has been filed in Contra Costa County Superior Court by the sister of a young black man whose body was found last year hanging from a tree near the Concord BART station.

The Nov. 2, 1985, death of Timothy Lee, 23, officially listed as a suicide, prompted charges by civil rights groups that racial intolerance is rampant in Concord and that Lee might have been killed by by Ku Klux Klan members.

His family also believes his death was due to his sexual preference, as well as his race. Lee, a Berkeley resident and a student at the San Francisco Art Institute, was openly homosexual.

A police and FBI investigation did not corroborate the charges, but the NAACP and other groups insist Lee's death was a racially motivated murder.

The suit by Lee's sister, Tammy Lee, alleges that BART failed to make its Concord station safe for passengers. And that Concord and Contra Costa County officials failed to make the area safe for passers by. The suit, demanding unspecified damages, also accused Concord and the county of destroying and concealing evidence, and refusing to answer inquiries from the family.

Some evidence, including the strap from which Lee's body was suspended, was routinely destroyed by the Contra Costa County coroner's office. Since Lee's death, the coroner's office keeps evidence in suicide cases for at least 90 days, a coroner's spokesman said.

(Indicate page, name of newspaper, city and state.)

Date: 8-13-86
Edition: 6th Star
6 S.F. Chronicle
San Francisco, Ca.

Title:

Character:
or
Classification:
Submitting Office: SF

Indexing:

44-2373x (1/2/86)



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SERIALIZED _____	FILED _____
AUG 20 1986	
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44-2373-78

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Hanging victim's sister sues BART, Concord and Contra Costa over his death

By Marina Gottochalk
The Tribune

MARTINEZ — The sister of Timothy Lee, the young black man found hanged near the Concord BART parking lot last November, has filed suit against the city of Concord, Contra Costa County and BART.

In her suit, filed Thursday in Contra Costa County Superior Court, Tami Lee charges the city and county with negligence in the wrongful death of her brother, with negligence in investigating his death, for her emotional distress and for violation of Timothy Lee's civil rights.

Concord police concluded several days after Timothy Lee's body was found that he killed himself. Their finds were based on physical evidence, such as the absence of bruises that would indicate a struggle and the undisturbed ground at the death scene.

Lee, 23, was a fashion design student from Berkeley. His family, friends and the NAACP contend that he was murdered, the victim of racism and homophobia because he was black and gay. They contend he was forced to write a suicide note that was found at the scene, because the note contained misspelled names of family members.

According to the suit, sometime after midnight on Nov. 2, Timothy Lee got off a train at the Concord BART station and was to have called a friend to say he needed a ride home because the trains were no longer running.

He was not heard from again and was found dead at 12:40 p.m., hanging from a tree just over the fence from the BART station parking lot.

The suit contends that BART failed to "make the Concord BART station safe for passengers using the BART system," and that the city and county failed to make "the area surrounding the Concord BART station safe for pedestrians."

Tami Lee's suit also contends that the city of Concord and Contra Costa County "performed an unreasonable and wholly inadequate investigation of the death of Timothy Lee. It further alleges that they "destroyed evidence, refused to answer inquiries by the family and concealed other evidence."

No Concord city official could be reached for comment late yesterday afternoon.

BART spokesman Sy Mouter, said he could not comment because his agency had not yet been served with the suit.

Tami Lee seeks at least \$25,000 in special and general damages for the wrongful death, and unspecified damages on the other allegations.

(Indicate page, name of newspaper, city and state.)

Date: 8-13-86
Edition: Morn.
A-11 The Tribune
Oakland, Ca.

Title:

Character:
or
Classification:
Submitting Office: SF

Indexing:

*Timothy Lee's
44-2373* (11/13/86)*

Vigo [Redacted Box]

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b7c

SEARCHED	INDEXED
SERIALIZED	FILED
SEP 26 1986	
FBI - SAN FRANCISCO	

44-2379-79

FBI

TRANSMIT VIA:

- Teletype
- Facsimile
- AIRTEL

PRECEDENCE:

- Immediate
- Priority
- Routine

CLASSIFICATION:

- TOP SECRET
- SECRET
- CONFIDENTIAL
- UNCLAS E F T O
- UNCLAS

Date 8/14/86

1 TO: DIRECTOR, FBI

2 FROM: SAC, SAN FRANCISCO (44A-2373)(P)(CRA)

3 SUBJECT: UNSUB;

4 TIMOTHY CHARLES LEE - VICTIM

5 (DECEASED)

6 CIVIL RIGHTS

7 OO: SAN FRANCISCO

8 Re telcall of [redacted] Civil Rights Division,
 9 Department of Justice, to Supervisory Special Agent [redacted]
 10 [redacted] 7/9/86.

b6
b7C

11 Enclosed for the Bureau is the original and two
 12 copies of an LHM in response to the questions posed by
 13 [redacted] in referenced telephone call.

b6
b7C

14 2 - Bureau (Enc. 3)

15 2 - San Francisco

16 RJH/bav

17 (4)

Enc. Sent

18 Approved: _____ Transmitted _____ Per _____

19 (Number) (Time)

SEARCHED _____

SERIALIZED 11/4

INDEXED _____

FILED 11/4

44-2373-80

CPA



U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to
File No.

San Francisco, California

August 14, 1986

UNKNOWN SUBJECTS;
TIMOTHY CHARLES LEE -
VICTIM (DECEASED)
CIVIL RIGHTS

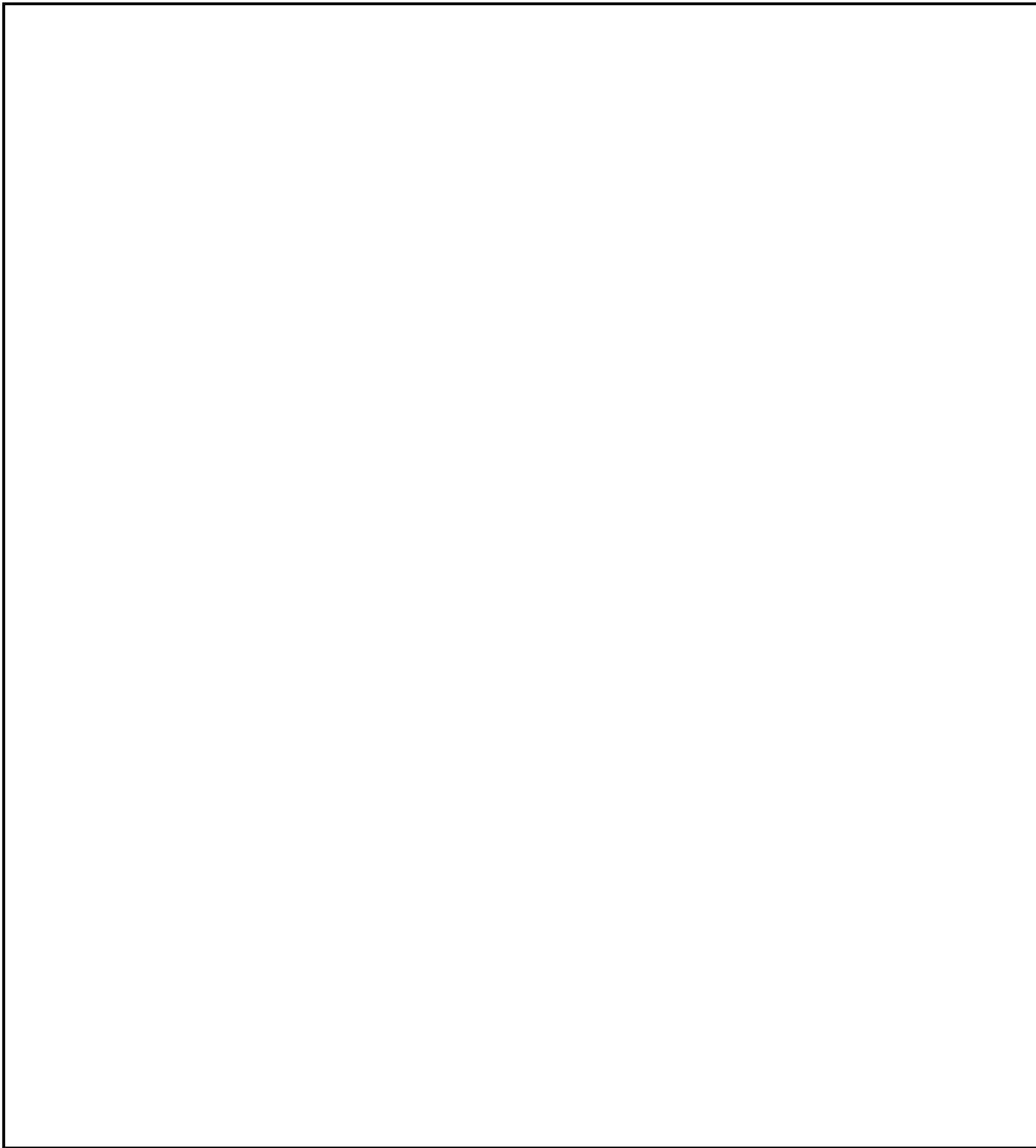
On July 9, 1986, [redacted] Civil Rights
Division, Department of Justice, telephonically contacted
the San Francisco Division of the Federal Bureau of Investi-
gation (FBI) regarding the captioned matter. [redacted]

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b6
b7c

This document contains neither recommendations nor conclusions
of the FBI. It is the property of the FBI and is loaned
to your agency; it and its contents are not to be distributed
outside your agency.

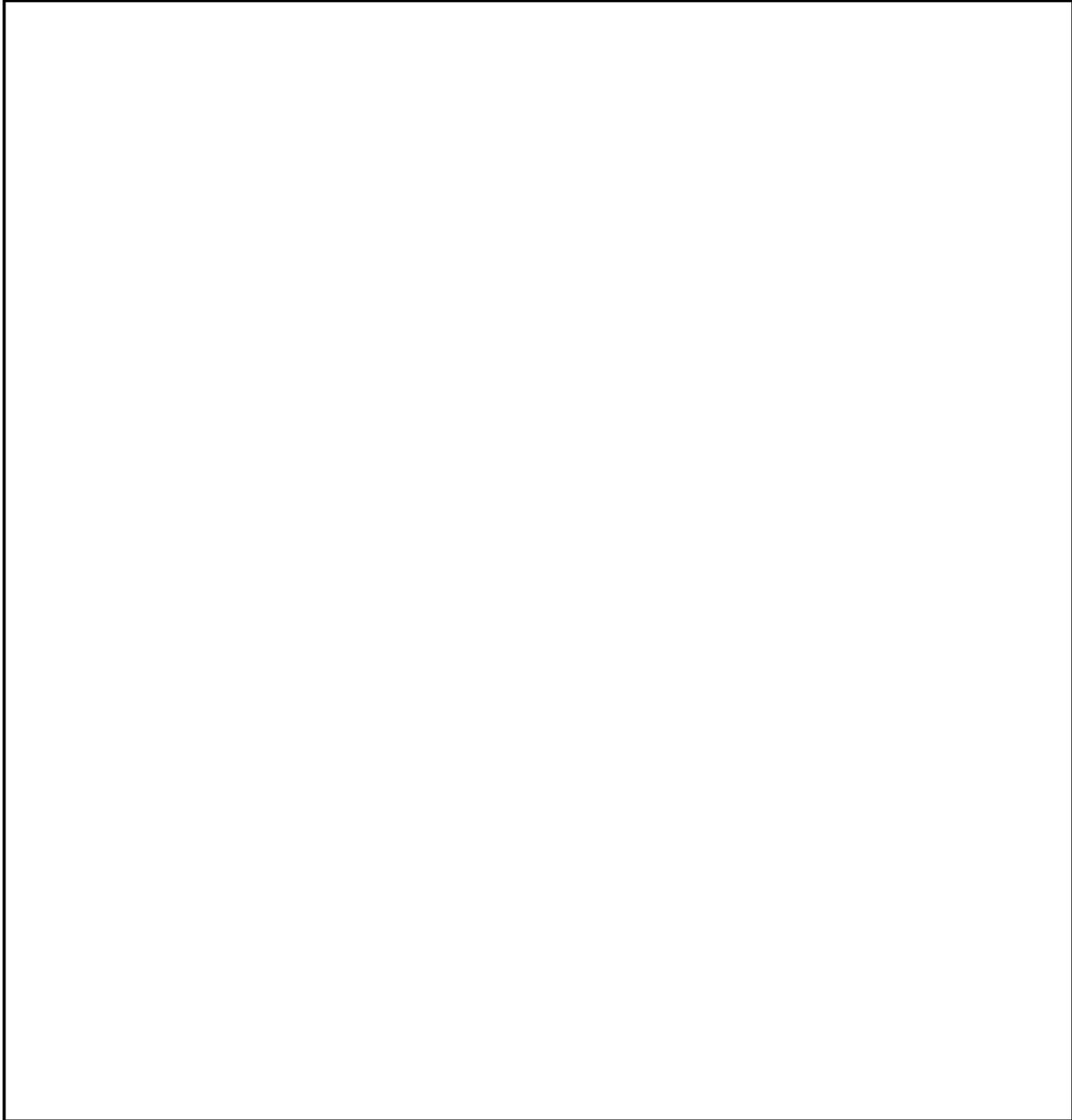
3 - Bureau
② - San Francisco (44A-2373)
RJH/bav
(5)

UNKNOWN SUBJECTS;
TIMOTHY CHARLES LEE -
VICTIM (DECEASED)
CIVIL RIGHTS



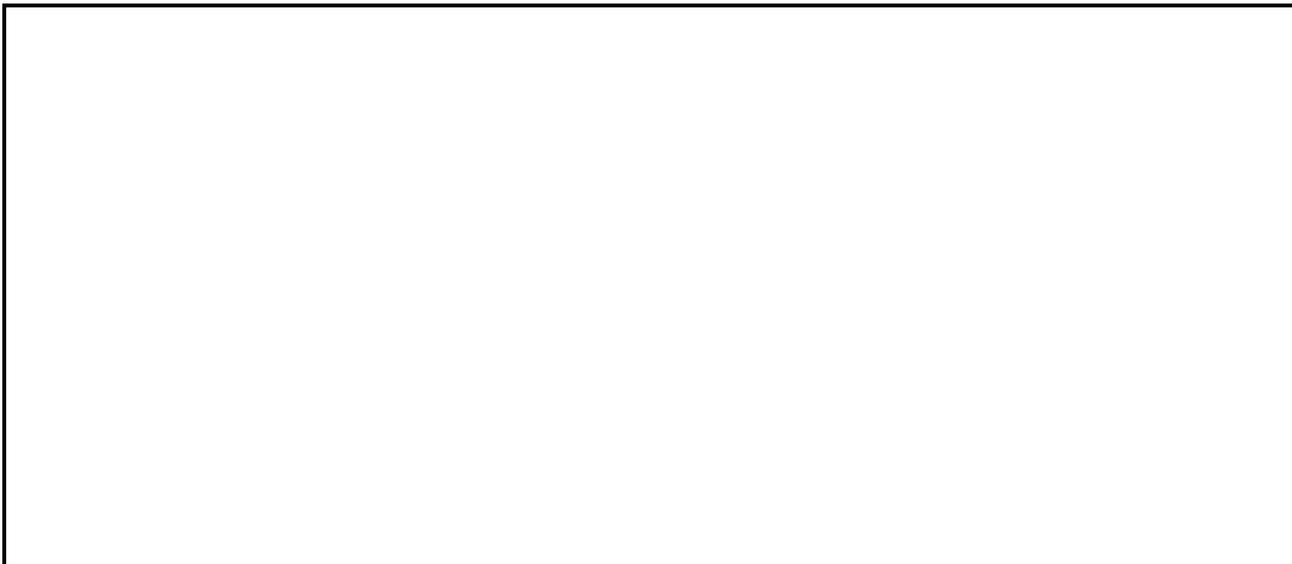
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UNKNOWN SUBJECTS;
TIMOTHY CHARLES LEE -
VICTIM (DECEASED)
CIVIL RIGHTS



b5
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b7C

UNKNOWN SUBJECTS;
TIMOTHY CHARLES LEE -
VICTIM (DECEASED)
CIVIL RIGHTS



b5

(Mount Clipping in Space Below)

FBI report clears robbed men of Concord stabbing

Large sections of the report were removed because of federal regulations regarding the privacy of confidential sources of information.

By Carolyn Newbergh
Tribune

CONCORD — A controversial 1985 hanging death of a young black man here that police ruled suicide was apparently unrelated to stabbings committed nearby by men in Ku Klux Klan-style costumes the same night, according to an FBI document released last week.

But the report of an FBI probe into the death of 23-year-old Timothy Lee of Berkeley shed almost no light on whether Lee committed suicide, as Concord police say, or was murdered.

The FBI report, from which major portions were deleted, was made available to the National Association for the Advancement of Colored People under a Freedom of Information Act request. The Tribune obtained a copy from the NAACP Friday.

The civil-rights organization contends Lee was lynched on Nov. 2, 1985, because he was black and a homosexual.

Thordle Ashley, who spearheaded a protest of the Concord

Police Department's handling of the case, said she is disappointed by what she called a meaningless FBI report.

"This report tells us nothing," said Ashley, who also heads up the NAACP's racial intolerance task force.

FBI spokesman John Holford denied anything had been covered up.

Holford said large sections of the report were removed be-

cause of federal regulations regarding the privacy of confidential sources of information. He added that the FBI makes no conclusions, and instead simply files a report of the results of its probe with the U.S. Department of Justice, which then may make findings or turn the matter over to the courts.

The FBI said only 35 of 141 pages reviewed under the NAACP request were released, thus making it difficult to tell whether the material made public held up under further investigation.

The only apparent finding revealed in the report is that Lee couldn't have been killed by the two men in Klan-style robes who stabbed two black men at a bar.

That is because, the report says, the two were in police custody for six hours before 8 a.m., which authorities say as the approximate time of Lee's death.

The report describes the Concord police as having conducted an "extensive investigation" into whether the two cases were linked.

It also indicates the FBI apparently relied on much the same evidence that police did. For example, the FBI used a state document examiner's analysis of the authenticity of a purported suicide note by Lee and did not study it further.

(Indicate page, name of newspaper, city and state.)

1-26-87

Date: South County Final
Edition: A-9 The Tribune
Oakland, Ca.

Title:

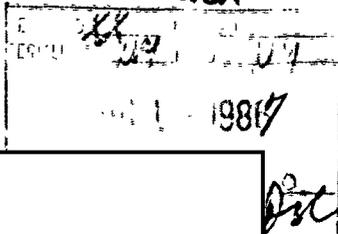
Character:
or
Classification:
Submitting Office: SF

Indexing:

Timothy Charles Lee



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44-2373-81

(Mount Clipping in Space Below)

NAACP Gets Report On Concord Hanging

By Kathy Bodovitz

An FBI report, with large sections blacked out, shed little light on a wrongful-death suit filed over the 1985 hanging of Timothy Lee, said Thordie Ashley of the National Association for Advancement of Colored People.

Police ruled that Lee's death was a suicide, but the civil rights organization believes Lee was lynched because he was black and a homosexual. He was found hanging from a tree near the Concord BART station.

The NAACP requested the FBI report under the Freedom of Information Act and received it last week.

"We were hoping that there would be enough information that would satisfy us that Timothy Lee was actually murdered," Ashley said. "The information we received was so inconclusive, it still does not answer any of the questions we had hoped," she added.

A spokesman for the FBI said much of the information in the report was crossed out because the people who testified had been promised confidentiality. Ashley said the report totaled 141 pages, but the NAACP received only 35 pages.

The FBI submitted the report to the Justice Department's civil rights division, which must determine whether there were any civil rights violations in the case.

Because of the snowstorm in Washington, no one at the Justice Department was available for comment.

Ashley said the NAACP also hoped the report would be conclusive enough for the lawyer who has the wrongful death case to proceed with his case.

Attorney George Korte filed a suit in February 1986 on behalf of Lee's sister, Tammy. It alleges that BART failed to make its Concord station safe for passengers and that city and Contra Costa County officials failed to make the area safe for passers-by.

The report did reveal that Lee could not have been killed by two men in Ku Klux Klan-style robes who stabbed two black men at a bar the night before his body was found.

Those men were in police custody at the time of Lee's death, the report said.

"We have no other choice now except to get depositions from a gross number of people we feel were involved" in the death, Ashley said.

(Indicate page, name of newspaper, city and state.)

Date: 1-27-87
Edition: 6 Star
5 S.F. Chronicle
San Francisco, Ca.

Title:

Character:
or
Classification:
Submitting Office: SF

Indexing:

44-2373-82

SEARCHED	INDEXED
SERIALIZED	FILED
MAR 23 1987	
FBI - SAN FRANCISCO	

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(Indicate page, name of newspaper, city and state.)

Date: 1-29-87
Edition: Morn.
A-12 The Tribune
Oakland, Ca.
Title:

Character:
or
Classification:
Submitting Office: SF

Indexing:

U.S. closes its probe of Lee hanging

By Carolyn Newbergh
The Tribune

CONCORD — The U.S. Department of Justice has closed its file on the hanging death of a black man in Concord, finding "insufficient evidence of a prosecutable violation of any federal statute," a spokeswoman said yesterday.

Local police ruled the death a suicide.

The federal agency's conclusion on the death of Timothy Lee, 23, of Berkeley, was made Oct. 29 after reviewing a "thorough" FBI report, spokeswoman Deborah Burstion-Wade said.

"The highest law enforcement agency in the land, as you would say, has vigorously, rigorously looked into this," she said.

Lee was found hanged from a fig tree near the Concord BART station Nov. 2, 1985, and police ruled his death a suicide. However, his family and the National Association for the Advancement of Colored People say he was lynched and that Concord police mishandled the investigation.

The NAACP requested the FBI probe, contending Lee was murdered because he was black and homosexual.

Burstion-Wade said she could not comment further on whether the Department of Justice believed Lee killed himself or was murdered. She added, "Anyone can intelligently draw any conclusions they want from our finding."

Concord Police Chief George Straka said he wasn't surprised at the Justice Department's conclusion.

"I felt there was no violation to start with," he said. "I thought our investigation was more than adequate and I hope that confirms it."

[Redacted area]

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FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1451420-0

Total Deleted Page(s) = 76

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Page 27 ~ b6; b7C; b7D;
Page 46 ~ b6; b7C;
Page 47 ~ b6; b7C;
Page 48 ~ b6; b7C;
Page 49 ~ b6; b7C;
Page 50 ~ b6; b7C;
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FOI/PA# 1379889-0

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44A-2373-73

SEARCHED	INDEXED
SERIALIZED	FILED
JAN - 6 1986	
FBI - SAN FRANCISCO	
CO	

44A-2373-73

REQUESTING AGENCY NO.

85-22679

CALIFORNIA DEPARTMENT OF JUSTICE
DIVISION OF LAW ENFORCEMENT
BUREAU OF FORENSIC SERVICES

BFS CASE NO.

Q-1166-5

P.O. BOX 13337, SACRAMENTO 95813

George J. Straka
Chief of Police

To: Willow Pass and Parkside
Concord, CA 94519

Copies To: File (1)

Attention: [Redacted]

b6
b7C

PHYSICAL EVIDENCE EXAMINATION REPORT

TYPE OF CASE Suicide		REQUESTING AGENCY Concord Police Department	
SUBJECT LEE, Timothy Charles (Victim)			
EXHIBITS RECEIVED FROM [Redacted]	DATE 11-15-85	TIME	
METHOD OF TRANSIT In Person			

b6
b7C

This is a report concerning physical evidence examinations requested by your office. In any future correspondence regarding this case please use the BFS case number appearing at the top of this report. If court testimony is required, please notify this office at least two weeks in advance whenever possible.

EVIDENCE:

- Q-1. One envelope to the University of California, San Francisco, bearing writings on the reverse side that appears to begin "To [Redacted]" and signed with a signature that appears to read "Timm". This item chemically processed for latent fingerprints prior to being received in this office.
- Q-2. One personalized Crocker National Bank check #548 signed "Timothy Charles Lee".
- Q-3. One Judith Kindler Textiles envelope bearing a handwritten name "Tim" on the face.
- K-1. One buff colored note pad and two loose pages bearing writings submitted as being authored by Timothy Charles Lee.

b6
b7C

CONCLUSION:

With the evidence at hand, there is evidence to indicate that the writings on the envelope of Exhibit Q-1 and on the check of Exhibit Q-2, was authored by the same individual who executed the writings contained in: the notebook and the two loose pages of Exhibit K-1.

This same writer very probably authored the "Tim" on the envelope of Exhibit Q-3. The limited nature of this writing and the availability of comparable like signatures, hinders a positive statement.

Date of Report: _____ Examinations by: CONTINUED [Signature]

Title: _____

LEE, Timothy Charles (Victim)

11-15-85

Q-1166-5

-2-

DISPOSITION:

All submitted evidence is herewith returned.

Date of Report: November 20, 1985

DCC:kri

Examinations by:

Title:



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ALFONSO DEPARTMENT OF JUSTICE
DIVISION OF LAW ENFORCEMENT
INVESTIGATIVE SERVICES BRANCH

REQUEST FOR
PHYSICAL EVIDENCE EXAMINATION

BRANCH USE ONLY	ISB CASE No. _____
	EVIDENCE: Additional _____
	Re-submitted _____

REQUESTING AGENCY: Concord Police Dept. COUNTY OF: Contra Costa
(Include Sub-Station, if any)

OFFENSE: Suicide AGENCY CASE NO.: 85-22679

SUSPECT(S): _____
(Include Agency I.D. No. and CII No., if any)

VICTIM(S): Timothy Charles Lee

BRIEF SUMMARY OF CIRCUMSTANCES: Victim was discovered hanging by the neck from a tree in a vacant lot. A suicide note and a note book was located at the scene.

EVIDENCE SUBMITTED: (Description and Source) _____
(1) Suicide note
(2) Check made out to Regents of the University of California
(3) "Tim" on Judith Kindler Textiles envelope
(4) Note book that has been identified to be in the victim's hand

PURPOSE OF EXAMINATIONS DESIRED: Compare Item 1,2 & 3 to Item 4

If further information is needed concerning this case, the following official should be contacted:
[Redacted] Phone No. [Redacted] Ext. [Redacted]

Officer Delivering Evidence to ISB: _____ Date: _____
Officer Submitting Evidence to ISB: [Redacted]
Officer Investigating this Case: [Redacted]

ISB Report to Be Sent to the Attention of: Upon completion of analysis - notify [Redacted]
Evidence Delivered Should Be Returned to the Attention of: [Redacted] to arrange
for pickup of this evidence.

IS ABOVE LISTED EVIDENCE PROPERLY MARKED AND PACKAGED? _____

PLACE THIS FORM IN ENVELOPE ON OUTSIDE OF EVIDENCE PACKAGE

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b7C

b6
b7C

(Indicate page, name of newspaper, city and state.)

(Mount Clipping in Space Below)

FBI will investigate 'suicide' in Concord

By Lon Daniels
OF THE EXAMINER STAFF

OAKLAND — Concord police say it will take a striking new development to convince them the death of Timothy Lee was not a suicide, but the FBI says it will conduct an investigation to determine if Lee's civil rights were violated.

John Holford, a spokesman for the bureau, said yesterday that the investigation, prompted by a request from the National Association for the Advancement of Colored People, will include an examination of police reports and talks with potential witnesses.

Lee, a 23-year-old Berkeley resident who was black and "openly gay," was found hanging from a tree near the Concord BART station Nov. 2.

Police have ruled the death a suicide despite protests by some members of Lee's family that the San Francisco Art Institute student had not appeared to be suicidal.

Holford stressed that the investigation will focus on possible civil rights violations and that Lee's death remains under the jurisdiction of Concord police.

Concord police Chief George Straka said yesterday that the case is still considered a suicide and is closed.

"Every piece of evidence indicates a suicide," Straka said.

He said there was no sign of a struggle at the death scene and that medical reports showed Lee's neck

was not broken by the hanging.

Straka said a broken neck would have supported a contention that Lee was the victim of foul play.

"Most suicides (by hanging) result in death from asphyxiation or compression," he said.

Straka said Lee's final paycheck, processed by a bank two days after the victim's death, had been deposited by Lee at a Crocker Bank automatic teller in San Francisco the day before he died.

That money, minus \$20 withdrawn a minute after the deposit, remained in Lee's checking account, police said.

Police also revealed that Lee had a blood-alcohol reading of 0.13 when he died. A reading of 0.10 is considered legally drunk.

About \$8 was found in Lee's pockets, police said.

Straka said a friend of the victim's thought Lee, who had a scholarship to study fashion design in Italy, seemingly had "everything to live for."

Police said Lee told the friend he would consider suicide under certain circumstances, such as a life-threatening disease.

A check of Lee's medical history, police said, revealed only a hernia problem.

The NAACP said it asked for the federal investigation partly because of previous race-related incidents in Concord.

Date: 1-8-86
Edition: Final
B-2 S.F. Examiner
San Francisco, Ca.

Title:

Character:
or
Classification:
Submitting Office: SF

Indexing:

SEARCHED INDEXED
SERIALIZED FILED
MAY 1 1986



44A-2373-74

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(Mount Clipping in Space Below)

Neighbors tell FBI they heard screams on night of mystery death

By Dexter Waugh
OF THE EXAMINER STAFF

Two people who live near the Concord BART station say they have told the FBI they heard repeated screams and the sound of people running away from the area where a young black man was found dead the next day, hanging from a tree.

The Nov. 2 death of Timothy Lee, 23, was later ruled a suicide by Concord police, but the FBI opened its own investigation last week after promptings from the National Association for the Advancement of Colored People.

Marilyn Hannum and William Callison, who share a house near the Bay Area Rapid Transit station, have sent affidavits to the NAACP and the Federal Bureau of Investigation reporting the screams they heard about 2 a.m. Nov. 2, not long after Lee, a Berkeley resident, had been phoning friends from the station, seeking a ride home.

Lee told one friend from a pay phone at the BART station that he had fallen asleep on the train ride home to Berkeley and ended up in Concord.

Hannum, a secretary who works in San Francisco, said she was

awakened by "very loud, piercing screams" that seemed to be coming from the BART lot near her home.

"I assumed the lot was patrolled and someone else would hear and deal with it, but as the screams persisted I got up to call police," she said today.

"But when I got to the phone and tried to think where I'd direct the police to go, the screams had stopped."

Hannum said she went outside and walked up the block, trying to determine where the noises had come from. Then she went back indoors, and "perhaps 2:15 there were more screams, this time maybe five screams, and after they stopped there were people running and car doors slamming.

"At that point I thought maybe it was a fraternity, because it was Halloween weekend."

Callison said he was awakened when Hannum got up to go outside. He said he also heard the screams that came "about 10 minutes later."

"I heard four screams, followed by one more scream that had a rising pitch and ended suddenly. That was about 2:15, and about half a minute after that the sound of several people running from the direction of the screams."

(Indicate page, name of newspaper, city and state.)

Date: 1-17-86
Edition: Final
A-16 S.F. Examiner
San Francisco, Ca.

Title:

Character:
or
Classification:
Submitting Office: SF

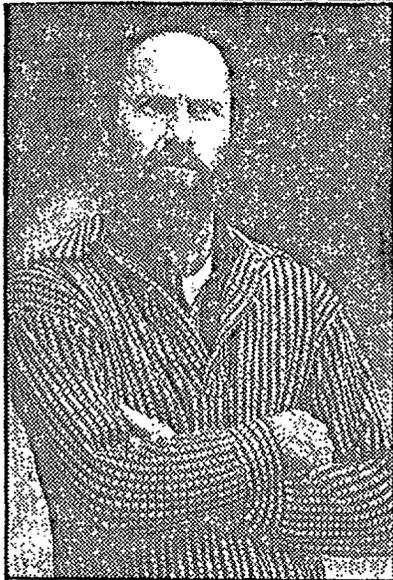
Indexing:

SEARCHED INDEXED
SERIALIZED FILED
MAY 1 1986



44A-2373-75

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Marilyn Hannum, above, and William Callison reported hearing the screams

Callison said it wasn't until about three weeks later that he learned that Lee's body had been found hanging from a fig tree near the BART parking lot. He and Hannum traced back their memories of the screams and realized they had heard them the night Lee died.

Concord police said a suicide note was found near Lee's body and that a handwriting expert conclud-

ed the note was written by Lee.

But Lee's family maintained that it wasn't Lee's writing and that Lee, a student at the San Francisco Art Institute who had won a scholarship to study fashion design in Italy, was not the type to kill himself.

Thordie Ashley, secretary of the Emeryville chapter of the NAACP, said her group became "suspicious" about the circumstances of Lee's death because of earlier racial attacks in Concord.

The day before Lee's hanging, two white men wearing Ku Klux Klan-style robes were arrested after stabbing two black men in a parking lot not far from the Concord BART station.

Ashley said she had written statements from co-workers at Judith Kindler Textile Designs in San Francisco, where Lee worked. They said Lee was in good spirits, enthusiastic and had a happy outlook on life on Friday, Nov. 1.

Ashley said that when Lee got to the BART station and realized he was stranded, he called a friend in El Cerrito, Joyce Carter, at 1:13 a.m., from a pay phone, to ask help in getting a ride back to Berkeley.

Carter tried to call Russell Wright, Lee's roommate in Berkeley, Ashley said, but both his line

and the pay phone's lines were busy, so Carter assumed they were talking to each other.

Carter said in her statement to Ashley that there was no answer when she again tried to reach Lee at the pay phone.

Wright said in his statement to Ashley, which she relayed to the FBI, that he tried to find someone to pick up Lee, but couldn't.

Wright said the last thing Lee said to him was: "No matter what, I'm going to find a ride. I'll see you tomorrow."

Callison and Hannum said they were interviewed last week by Concord police, who are still in charge of the investigation. Both said they were told the police still regard Lee's death as a suicide.

"It's frustrating," said Hannum, "because they don't seem to be acknowledging the massive weight of evidence."

"He had no motive to commit suicide. I could ignore those screams if there wasn't a body found. I wish I didn't know what I know."

Callison said he thinks there is a definite link between Lee's death and the screams: "Until somebody can tell us or show us or come up with something else that happened that would explain what these people were running from or screaming about, certainly the fact the body was found the next morning makes us think it was probable."

An FBI spokesman would say only that the bureau is investigating whether Lee's civil rights were violated.

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Crash, murders, etc. shake up Concord

By Carolyn Newbergh
The Tribune

CONCORD — This city — judged last year one of the least-stressful in which to live — has been the scene of so many tragedies and disturbing incidents recently that many officials are wondering if it is coincidence or a jinx.

"Holy smokes, we've taken a battering," said Police Chief George Straka discussing the last few months.

No one here can remember anything like this shocking string of bad news in Contra Costa County's largest city of 105,000 residents.

There were more homicides in the first 20 days of 1986 than in all of 1985.

But that's just part of the story:

■ On Nov. 2, a 23-year-old gay black man, Timothy Lee of Berkeley, was found hanged from a fig tree near the BART station.

■ Hours before, two black men were stabbed by two white men garbed in what appeared to be Ku Klux Klan robes.

■ On Dec. 23, a twin-engine plane slammed into the SunValley Mall during the height of the Christmas rush, resulting in six deaths and the injury of more than 70, many of them with terrible burns.

■ On Jan. 6, two residents were shot execution-style in their home; one died.

■ On Jan. 20, a woman, her 2-year-old son and her boyfriend were savagely stabbed to death.

■ On Jan. 17, 29 and 30, workers were evacuated from one of Concord's spanking-new office complexes because of a still-mysterious air-pollution problem.

■ Meanwhile, the National Association for the Advancement of Colored People said the city is a racist place whose police department bungled its probe into Lee's hanging. Police have concluded that his death was a suicide, but the NAACP says it was murder.

The NAACP asked and got the Federal Bureau of Investigation to look into the case. And the NAACP convened a "racial intolerance task force" to see what's going on in Concord.

Last year, the national Zero Population Growth organization said Concord was one of the 10 least-stressful places to live in the U.S.

Despite this, city leaders have pined for an even better image, hoping office-building construction, proposed artworks on street corners and progressive policies on comparable-worth pay and child care would give it to them.

The notoriety Concord has gotten in the last three months is not what they had in mind.

"I'm concerned we're getting a reputation as a violent place," Straka said. "My sense is that people who live here don't have that perception but people outside might."

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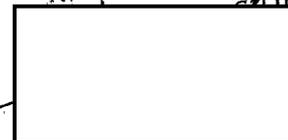
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"The facts show we're not — but perceptions are sometimes the hardest thing to change," he said.

Straka said a survey of violent crime shows Concord to be 25th lowest among 26 cities its size in the state.

In 1985, two people were murdered, he said. So far, the homicide toll is four.

"It seems we have had our share of tragic events in Concord," said Mayor Ron Mullin. "Hopefully, statistically we have gotten them all out of the way at the beginning of the year."

The new urbanization of the city, causing a growth rebellion here as elsewhere, can't explain the rash of disturbing events coming out of Concord, Mullin said.

The population has grown just slightly in recent years and only a fraction of the thousands of new workers who will occupy the new buildings have moved in so far, he said.

"It's just one thing after another," said Councilman Steve Weir. "But I don't see any grand connection to it."

Not everyone views the frequent publicity as bad.

"A lot of people say any press is good press," said Harry York,

executive vice president of the Chamber of Commerce. "Look at it this way: Concord has been in the news. People in other communities are hearing about Concord, that it has buildings with problems.

"They may not have known anything about us before. Everybody in the country knows where Concord is now," he said.

The signs of this unsought fame abound.

Reporters flock here from as far away as Long Island, N.Y., to write about the Lee case. News of the SunValley Mall crash appeared in newspapers all over the world.

Sirens from ambulances, fire trucks and police cars are becoming more common.

Firefighters, city officials and hospital workers are overheard saying, "Not again," and, "What is it going to be next?"

And local officials are becoming adept at setting up makeshift press-briefing areas. Mt. Diablo Hospital arranged to add phone jacks to a conference room to handle journalists.

The front line for handling the barrage of events has been the police force, which has been stretched thin.

The police officers put in 570 hours of overtime — \$17,000 worth — in the 10 days after the triple murder of Paul Lepper and Nancy and Jesse O'Hara, Straka said. Although the force has four homicide investigators, 13 officers from other divisions were pulled into the case, he said.

The suspect, Richard Allen Goodfellow, is still at large.

Just two weeks before, in the assassination-style shootings of Terri Ann Viscia and Mike Tofanelli, the police chalked up 270 hours of overtime worth almost \$8,000, Straka said.

Straka said his force has gotten by on adrenalin and the challenge of big cases.

The Timothy Lee case has been different. Straka and Mullin get emotional when they discuss it.

Straka said he is "98 percent

certain" that the death was a suicide and he is "frustrated ... that we can't put this to rest."

Mullin, a former Concord police officer, has gone out to the fig tree where Lee was found hanging, looked at all the evidence and is almost positive it was suicide, too. He has asked the regional NAACP office to meet with him to establish a dia-

logue but he is pessimistic.

"I think they are fully intent on playing this out in the press," he said.

He added, "The people who live in the city of Concord know very well it is not a racist or a violent community. It is the people outside who may be getting misperceptions."

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Concord asks NAACP for data on racism

By Carolyn Newbergh
The Tribune

CONCORD — A city panel is asking for a meeting with the NAACP next Tuesday to learn whether calls the organization reportedly has gotten from black Concord residents involved incidents of racism.

The decision by the city's Community Services Commission Wednesday to invite the National Association for the Advancement of Colored People to the meeting comes amidst continuing questions about the hanging death of a black man last Nov. 2 within hours of the stabbing of two other blacks by two white men clad in Ku Klux Klan outfits.

Concord police insist the two incidents are unrelated and that 23-year-old Timothy Lee's hanging was a suicide.

The FBI is investigating both cases.

There was no official word yesterday on whether NAACP

representatives would attend the 8:30 a.m. meeting Tuesday but one employee said he couldn't "see any reason why we wouldn't go."

The NAACP and Lee's family have said they don't believe the young design student took his own life.

The city commission acted Wednesday in response to a news article that said the NAACP has received phone calls from black Concord residents, according to Hawley Holmes, a city administrative analyst.

"The commissioners were concerned about whether there was any substance and wanted to talk about it with the NAACP in person," Holmes said.

A subcommittee will conduct the meeting at the city's Leisure Services office, 1957 Parkside Dr.

The civil rights organization plans to meet with all of its 22 Northern chapters next week to discuss the Berkeley man's death.

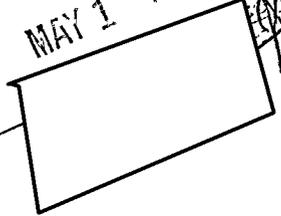
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SPECIAL REPORT: THE DEATH OF TIMOTHY LEE

Police chief denies allegations of racism in department

CONCORD — Since the Nov. 2 attack on two young black men and the hanging death of another, Concord Police Chief George Straka has heard allegations of organized racism in both the community and his department.

But the allegations are hard to answer, Straka said, comparing them to the old insinuation, "When did you stop beating your wife?"

Concord police, from classes at the police academy to current training programs, are taught to ignore prejudices and stereotypes, Straka said. Two Spanish language courses have been taught and videotapes to teach awareness of Concord's growing ethnic diversity are in the works.

"I don't think racism exists in this department," Straka said.

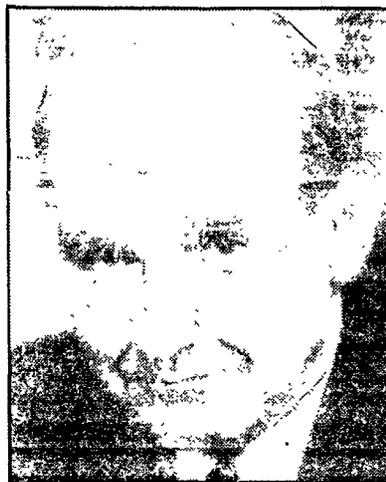
Straka doesn't deny that individual officers, like other people, may have racial prejudices, but said he has heard no complaints of racism on the part of police, except unsubstantiated allegations from the NAACP.

Since 1982, any incidents with racial overtones have been noted, police Lt. Al Jordan said. In 1982, seven such incidents were reported and five were found to have substance. One of those resulted in prison terms for two white men convicted of assaulting a black teenager.

"It's our mission to focus on

'We're not going to tolerate racism. It's naive to think it can be eliminated, but it won't be tolerated'

*— George Straka,
Concord police
chief*



those acts and make sure they're prosecuted to the fullest extent of the law," Straka said.

Sixteen incidents possibly motivated by racism were reported in 1983 and the next year there were 14 cases. Records for 1985 are not available, Jordan said, and six instances have been reported this year.

Most of the incidents are malicious mischief, like painting the words "KKK" and "Nigger" on a wall or car, Jordan said. Some are more serious, such as assaults. The targets have included blacks, Jews, Asians and whites.

Not all of the reports can be shown to be racially motivated, Jor-

dan said, but are noted because the victim and suspects are members of minority groups.

In 27 years with Concord police, Jordan said, the only organized racial harassment he can recall was in West County in 1980.

Straka said his city has a small minority population and that he wants it to be known as a good place to live. Of about 120 officers, one is black. The city has a population of 103,000, 1.9 percent of whom are black.

"We're not going to tolerate racism," Straka said. "It's naive to think it can be eliminated, but it won't be tolerated."

SPECIAL REPORT: THE DEATH OF TIMOTHY LEE

Complex background shaped a complex life

By Mary McGrath

Staff writer

SAN FRANCISCO — Those who knew Timothy Charles Lee remember the aspiring fashion designer as a rare person shaped by two minority cultures: black and Native American.

The 23-year-old Berkeley man lived the first nine years of his life in an adobe house on an Indian reservation. He was a registered Native American and was among the children of activists who occupied Alcatraz Island in the early 1970s. He lived on the island with his Native American mother, Margaret Arviso Lee, during the occupation.

But when Margaret died in 1973, Lee was sent to live with his

ties cost him his life.

On Nov. 2, Lee was found dead, hanging from a fig tree in a vacant lot across from the Concord BART station. The police have ruled his death a suicide. But his family and friends believe he was forced to write a suicide note found nearby before being lynched by racists or homophobics.

"I was floored, disbelieving, incredulous. It couldn't be suicide, I felt. I kept thinking, 'They will find it's murder anyway now.' It is so bizarre," said Ann, manager at the Judith Kindler Textiles in San Francisco, where Lee had worked as a fabric painter and did other chores for the six weeks preceding his death. (Ann asked that only her first

at the textile firm. He attended the Academy of Arts, on Powell Street, at night.

Ann had seen his portfolio of linear New Wave women's fashions and called him a very talented illustrator. "He was ambitious . . . He would work all day — and this is hard work; you leave here sweating. And then he went to school at night. You have to respect a person like that," said Ann.

He also loved nice clothes, and wore mufflers and fashionable overcoats with padded shoulders, which he accented with cowboy boots and green suede shoes.

He dreamed of studying in Europe, and appeared to be on his way up in the industry. His stepmother

adding he was not much of a party-goer.

Last year, Lee attended the Exotic Erotic Ball, famous for the sexually explicit costumes worn by participants. "He came back and said, 'I found out I'm a prude.' It was just too much for him," said Ann, smiling.

Lee and his his 22-year-old sister, Tammy, "were like one person. They were on their own at an early age and they clung to one another," said Karen Carter, an El Cerrito woman, who was friends with Tammy, Timothy, and their brother, Tommy, who is 25.

Lee shared a Victorian house with Tammy and other friends, and had taken the role of surrogate fa-

with being gay and a mixed-race male. But being gay was not the issue. He was comfortable with that," said Puma.

Lee is buried at the Rincon Indian Reservation in Escondido, near San Diego, where his life began.

He lived there with his brother and sister and mother until the family joined the Alcatraz takeover. Lee's father, Robert T. Lee, was in the Navy and was stationed off and on in Japan and other parts of the world, including a stint at the Concord Naval Weapons Station.

When Margaret died, Robert Lee joined the military police force at the Alameda Naval Air Station and moved to Berkeley to take care of his children.

their mother. They were very close to her. Their mom and I were separated, and I was away from six to nine months of the year. But it was not as though they didn't know me. They adjusted well," said Robert Lee, who now lives in Memphis, Tenn.

It was throughout these years that Lee's closeness to his sister grew. Tammy would not comment on the case to Contra Costa Times reporters this week. Carter said she still refers to her brother only in the present tense.

"She still says Timmy will do this and Timmy will do that. We will be driving in the car and she will see something and say, 'Timmy is really going to like that,'" Carter

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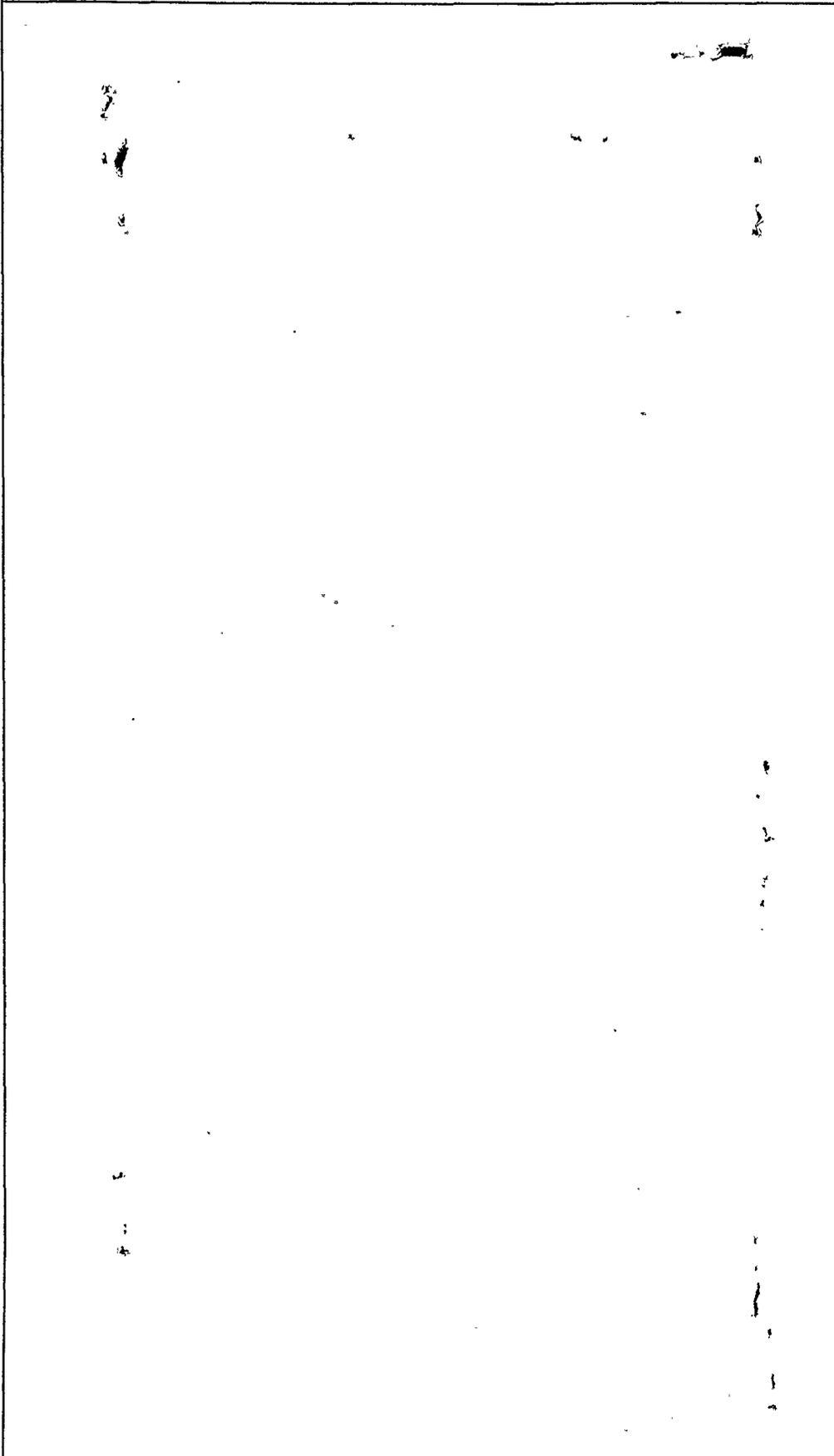
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NAACP Asks FBI Probe Into Concord Death

By Maitland Zane

The NAACP called yesterday for an FBI investigation of the apparent suicide of Timothy Lee, a black man who was found hanging from a tree near the Concord BART station on November 2.

Leaders of the Oakland and Emeryville branches of the NAACP said at a press conference that Lee's payroll check was cashed on November 4, two days after he was found dead.

NAACP spokeswoman Thordie Ashley said that the Crocker National Bank processed Lee's \$197 paycheck, drawn on his employer, Judith Kindler Textile Designs of San Francisco, although Lee had not endorsed it.

A Judith Kindler employee, who declined to give her name, said, "We can't figure out what happened, and we don't know where the money went. The check came back to us without an endorsement, so we can't say for sure if the money got into Lee's account."

Jana Reese, a spokeswoman for Crocker, said that as far as she knew nothing illegal occurred. Promising an investigation, Reese speculated that a clerical error could have let the check go through processing without an endorsement.

Ashley said that the NAACP has written to Richard Held, in charge of the San Francisco FBI office, "requesting that he launch a full investigation" into a possible violation of Lee's civil rights.

"This so-called suicide remains a mystery, so far as we're concerned," said Ashley. "The NAACP has reason to think Lee's death was due to his race and sexual preference."

Oscar C. Wright, president of the Emeryville NAACP, said, "From the evidence we see, there appears to have been foul play."

Concord Police Lieutenant Al Jordan seemed shocked to hear that Lee's payroll check had been processed after his death.

"How did the NAACP find that out?" he asked. "If it's true, I'm surprised that Lee's employer did not contact us."

Jordan said that a handwriting analyst from the California Department of Justice concluded that Lee wrote a suicide note that was found near his body.

Lee, a 23-year-old Berkeley resident, was a student at the San Francisco Art Institute who had recently received a scholarship to study fashion design in Milan, Italy. His family and friends said he had not shown any signs of depression.

Early on November 2, the same day Lee was found dead, two white men wearing hooded white robes were arrested for stabbing two black men in a Concord parking lot.

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NAACP Meeting to Probe Charges of Racism in Concord

By Pearl Stewart

Responding to recent violence against blacks in Contra Costa County, the East Bay chapter of the NAACP will sponsor a conference on racism in Concord.

Blacks and other minorities have complained about racial attitudes in Concord, a rapidly growing city of 100,000 with a black population of less than 3 percent. NAACP leaders hope their seminar Saturday in Concord will prompt local and state officials to address the problem.

A mysterious hanging of a young black man and the stabbing of two blacks by men in Ku Klux Klan hoods have given impetus to their complaints.

The FBI, at the request of NAACP leaders, is investigating the death of 23-year-old Timothy Lee, a gay black art student living in Berkeley, who was found hanging from a tree on November 2 near the Concord BART station. Concord police have ruled the death a suicide, but Lee's family and friends vehemently rejected the possibility that Lee hanged himself.

Adding to the suspicions about Lee's death is the fact that during the same weekend two black men were stabbed.

George Harless, 19, pleaded guilty to the charges and Harold Gallant, 21, pleaded not guilty. The

suspects said they were wearing hoods and robes bearing Ku Klux Klan insignia because they were on their way from a Halloween party.

The two black men who were stabbed filed suit last month in federal court on civil rights grounds.

In response to public concern spurred by the incidents, city officials re-activated Concord's defunct Human Relations Commission and appointed a police lieutenant to its leadership board.

NAACP leaders say the city has not done enough.

Thordie Ashley, the coordinator of Saturday's conference, said the hanging and the attacks in November were an outgrowth of "years of racial intolerance in Concord."

She said the NAACP has received complaints from "numerous people, especially whites in interracial marriages, saying they have been harassed and that the police have not helped them."

Ashley said the complaints include allegations of harassment and brutality by Concord police.

Lieutenant Al Jordan, who investigated the Lee case and sits on the Human Relations Commission, said charges of racism in Concord have come "mostly from the media. We (Concord police) have never had one person come in to complain that

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this city is unsafe."

However, Jordan said that since November, there have been several reports from minorities of incidents such as rock-throwing at houses of blacks and Hispanics, name-calling and racist graffiti.

Jordan said the reports were "not alarming," and police have not confirmed that they were all racially motivated. He said that he does not believe that any suspects have

been arrested in connection with the complaints.

James Cole, a black attorney and Concord resident who has helped organize a group called the Black Family Association, said, "We're not going to stand by and let our civil rights be abused."

Cole, who along with other black Concord residents met recently with the mayor and city council to discuss instances of racism, listed

several examples of harassment within the last two years.

An anonymous caller claiming to be Cole's wife called Concord police and said she had just shot her husband, causing police to surround Cole's home with guns drawn late one night. A similar incident occurred in another Concord neighborhood involving an interracial couple.

In addition, a black teenager dining in a Concord fast-food restaurant with his white girlfriend was threatened by white men who called him "nigger" and told him to stay away from white girls. He called police, but no arrests were made.

Ashley said the NAACP plans to use information gathered at the seminar to ask for a statewide task force, under the attorney general's office, to investigate charges of racism.

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OAKLAND, CA.
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NAACP forum on racism looks at intolerance

The Tribune

CONCORD — The NAACP will hold an educational forum here Saturday on racial intolerance, and plans to bring some of the people who say they have been victimized, an NAACP official said yesterday.

Attending will be relatives of Timothy Lee, the young gay black man found hanged here Nov. 2, and "others who have moved out of Concord because of prejudice," said Violet Robinson of the civil rights group's Oakland office.

One person who "moved all the way away to Los Angeles" hopes to make the trip back, too, she said.

A purpose of the forum is to inform people about the resources available to them if they are racially harassed, an official said.

The forum will be held from 9:30 a.m. to 12:30 p.m. at the Concord Senior Center, 2727 Parkside Circle. It will be led by Moses Coleman, who heads the Pittsburg office of the National Association for the Advancement of Colored People.

The NAACP has targeted Concord as the primary focus of a recently formed statewide task force on racial intolerance. Officials of the group have said they believe Lee was the victim of a lynching, and not suicide as police say, and that there is Ku Klux Klan activity in the city.

Several hours before Lee's death, two black men were stabbed by two whites in Ku Klux Klan costumes. The suspects, however, have claimed they are not members of that white supremacist organization.

Thordie Ashley of the Emeryville NAACP said she got 30 complaints of incidents motivated by racial hatred in the Concord area last year.

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Rally focuses on Concord racial troubles

By Kelly Gust
 The Tribune

CONCORD — Susan Ramirez, whose daughter catches a school bus near the spot where Timothy Lee died, worries whether her child is safe from hate groups.

Steve Orcutt, who lives two blocks from the bar where two whites with Ku Klux Klan robes were arrested in the stabbing of two blacks on the same day Lee was found hanged, worries whether his

black stepchildren are safe from the Klan.

Shauna Gillespie is just plain scared.

Ramirez, Orcutt and Gillespie were among 125 people who gathered at the Concord Senior Center yesterday morning to talk about Concord's racial problems.

Organized by the NAACP, the meeting was prompted by the Nov. 2 death of Lee and by more than 30 complaints of racial intolerance, police brutality and housing discrimination filed with the NAACP by Concord residents in 1985.

Lee, a 23-year-old gay black art student, was found hanging from a tree near the Concord BART station. Lee had fallen asleep on the train, missed his Berkeley stop, and missed the last train back for the day.

Lee called friends to pick him up, but when they were unable to get him a ride, he said he would find his own way home. But he was found at noon the next day hanging from a tree. A poorly written suicide note with the names of his family members misspelled was found nearby.

His family has refused to accept the Concord Police Department's ruling of suicide, and the FBI, at the NAACP's urging, has been investigating the case.

Lee's death has become a rallying point for blacks who point to 1982 Klan attacks



Elizabeth Casey
 Victim's stepmother

against black families in Pinole and the arrest of the two white-robed men in Concord as indications that Lee may have been the victim of a racial attack.

Police said the Klan costumes were merely a Halloween prank.

"I've read certain officials in this city are unaware of Klan activities in Concord," said Shauna Gillespie. "I think the incident on Monument Boulevard, the simple fact that they were wearing Klan attire, should make the connection clear. It's insulting to me as a black woman in this communi-

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Concord

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ty, and I'm scared. . . .

"If a person had a hood and a robe on, that's where their head's at, whether or not they've got the membership."

The group protested angrily when police Chief George Straka, who was there to answer questions, said: "I don't know who heads the Klan. I don't know if there is a Klan group in Concord."

Many in the group insisted that the two incidents on Nov. 2 were related, a theory that the police have dismissed.

Straka said the department is not trying to cover up anything and that he was sorry to hear that people were afraid to call the police department.

After Pittsburg's NAACP spokesman, Moses Coleman, said the group knows where and how the Klan works in Contra Costa, Steve Orcutt of Concord demanded the details.

"I want that information so we can protect ourselves," Orcutt said.

Susan Ramirez of Antioch said her biggest worries are her children's safety when they attend Mount Diablo High School, just blocks from the Concord BART station.

"Last year they were handing out pamphlets on campus," Ramirez said. "They weren't exactly Klan literature, but had racial remarks."

And the number of name-calling incidents on campus are increasing greatly, Ramirez said.

Thordie Ashley, secretary of the Emeryville chapter of the NAACP, which has been compiling information on the Lee case, warned Contra Costans

that there are definitely racial problems here.

"When you can't send a child to school without being called 'nigger' . . . When you can't catch a BART train and fall asleep without being murdered, you have a helluva problem," Ashley said.

Virna Canson, West Coast director of the NAACP, announced that the group is preparing a request for the U.S. Fair Employment and Housing Commission to conduct hearings on alleged Klan activity in Contra Costa.

Although the meeting did little to answer questions about Lee's death, his family was pleased with the results.

"It put a lot more pressure on the police," his sister, Tammy Lee, said afterward.

Tammy Lee got a standing ovation as she cried and stood to address the group in the meeting.

"I just want to thank all of you who are giving me your support . . . unlike the Concord police," said Lee, who said she had no faith in the police department. "If you're going to call anybody, call a cab, call a moving van. Just get the hell out of this city because it's going to get worse before it gets better, and I'm going to make sure it gets much worse for this city."

An anti-Klan rally was held at city police headquarters after the meeting. About 75 members of the John Brown Anti-Klan Committee from San Francisco showed up. The committee has also picketed outside the courtroom at hearings for the two Concord men arrested in the stabbing attacks.



By Bill Knowland/The Tribune

Tammy Lee listens to police Chief George Straka.

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Angry charges mark meeting of NAACP in Concord

By Mary McGrath
Staff writer

CONCORD — Tammy Lee stepped to the microphone and began to cry. Her brother, Tommy, paced angrily in the audience.

Tammy Lee vowed to find the people she believes hanged her older brother, Timmy Lee, from a fig tree near the BART station Nov. 2.

"If you are in Concord, call a cab, call a moving van, just get the hell out of this city. It's going to get worse before it gets better, and I'm going to make it as worse as I can before it gets better," said Tammy Lee, a teacher's aide who lives in Berkeley.

She was among the speakers at a stormy meeting Saturday morning held to investigate complaints of racial violence and intimidation in Concord.

The meeting was called by Bay Area chapters of the National Association For the Advancement of Colored People, which maintains Timmy Lee was lynched by racists because he was black and homosexual. Lee also was a registered Native American. As a result of Lee's death, the NAACP has formed a statewide task force to investigate racial violence.

Colleen Coll, vice mayor of Concord, said the city will decide within two weeks whether to revive a dormant task force on community relations formed in the early 1980s to investigate racial incidents.

Applause and shouting erupted frequently during a debate between an audience of about 100 anti-racist activists, residents and Concord Police Chief George Straka.

A Concord man, who identified himself only by his first name, asked the NAACP to make public the names and locations of Klan members that the civil rights organization claims are operating in Concord. NAACP moderator Moses Coleman did not provide the information but said he knows where they are.

Before Lee's death, there were no complaints to the NAACP of Klan activity, he said. But about two dozen residents who spoke claimed the predominantly white police departments in Concord and other cities in the

Please see **NAACP**, Page 2A

(Indicate page, name of newspaper, city and state.) *Page 1A*
CONTRA COSTA TIMES
WAINUT CREEK, CA
Date: *2/23/86*
Edition:

Title:

Character:

or

Classification:

Submitting Office:

③

SEARCHED INDEXED
SERIALIZED FILED
FEB 2 1986
FBI - OAKLAND
[Handwritten signatures and initials]



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44A-2373-83



DEMONSTRATORS march outside a stormy NAACP forum in Concord on Saturday. Times photo/Randy Becke

NAACP

From Page 1
county do not take racial harassment seriously.

On the night Lee died, two men wearing white robes resembling Klan robes and carrying Klan literature were arrested for suspicion of stabbing two black men outside the Terrace Bar. They told police the robes were Halloween costumes. One of the men pleaded guilty, and the other goes on trial next month.

The regional office of the NAACP in San Francisco has decided to ask the state Fair Employment and Housing Practices Commission to convene hearings on racial violence in Contra Costa. The same civil rights commission held hearings in 1982 in West County attended by several men and women who claimed to belong to a West County klavern of the Klan.

About 50 members of the John Brown Anti-Klan Committee, a national group that monitors Ku Klux Klan activity, held a demonstration outside the Concord Police Station after the forum broke up at 1 p.m.

The John Brown committee claims racial attacks in Concord are an outgrowth of the White American Resistance, a white supremacist organization in California with its own cable television show hosted by Southern California Klan leader Tom Metzger.

They urged Straka to investigate Klan activity in Concord. Straka said it is unconstitutional for the police to keep tabs on any organization unless the group has been linked to crime in that community.

Concord resident Shauna Gillespie said the stabbing of the two black men provide that link.

For the police "to say they are not aware of the Klan is an insult to me as a black woman in Concord. I am scared ... If someone wears a hood and a robe, that is where their head is, whether they have the membership or not," Gillespie said.

High school civics teacher Antonio Medrano of San Pablo said he has all the proof he needs of Klan activity.

"All I have to do is call my neighbors, and they have also picked up those racist flyers on buses in Richmond and San Francisco. I see that Klan ... all the time in my neighborhood, in laundromats and on buses," said Medrano, who teaches at McAteer High School in San Francisco.

Susan Ramirez of West Pittsburg said students, including her daughter, are harassed at Mt. Diablo High School while officials ignore her complaints.

"With the Lee case it scares me. My daughter is bused in from West Pittsburg," Ramirez said.



Times photo/Randy Becker

TOMMY LEE, left, Elizabeth Casey and Tammy Lee show camaraderie outside a forum sponsored by the NAACP in Concord Saturday.

Tenth-grader Tina Anderson said that last year she and friends at Mt. Diablo High found white supremacist fliers containing the word "nigger" around the school.

Robert Simms said he left his job with the 7-Eleven Store in Pacheco last summer after motorcycle riders called him "nigger" and threatened and intimidated him on about 10 occasions, sometimes brandishing knives.

Simms, a Martinez father of four and member of the United Food and Commercial Workers Union Local 870, said he has been unemployed since and his complaints to police were dismissed as isolated incidents.

"I worked at night. I used to kiss

my wife goodbye and say 'I don't know whether I'll be back,' he said. "If I wouldn't have quit, they would have killed me. I took out an insurance policy."

Straka said his department has received eight complaints of racial incidents since Jan. 1, including name calling.

Representatives from NAACP chapters in San Francisco, Richmond, Pittsburg, Emeryville and other communities joined a panel of state and federal civil rights workers. The speakers gave a summary of civil rights legislation and outlined how citizens can file complaints of racial violence or job and housing discrimination.



U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to
File No.

450 Golden Gate Avenue
Box 36015
San Francisco, California 94102

March 3, 1986

[Redacted]

b6
b7C

National Coalition of Black Gays,
930 F Street N. W., Suite 514,
Washington, D. C. 20004

Dear

[Redacted]

b6
b7C

Re: Investigation of the
Death of Timothy Lee (re
your letter to Chief
George Straka, Concord
Police Department, with a
copy to the FBI, San
Francisco, dated
February 14, 1986).

The primary responsibility for the investigation into the death of Timothy Lee lies with the Concord Police Department and the Contra Costa County Coroner's Office. Inasmuch as there have been allegations of possible civil rights violations, the FBI is in the process of conducting a preliminary inquiry into this matter to determine if in fact sufficient probable cause has presented itself to warrant a full Federal investigation. The results of this inquiry are forwarded to the Department of Justice, Washington, D. C., for a review to determine if there is a basis for further Federal inquiry.

Be advised that the official cause of death as listed by the Contra Costa County Coroner's Office is that Lee committed suicide. The contents of your referenced letter leads one to believe that you are in possession of specific evidentiary details, either forensically or from the oral statements of direct witnesses;

- 1 - Addressee
- ① - San Francisco (44A-2373)
- JJR/er
- (2) *er*

Paul
John

INTO SAC _____ *JK*

SEARCHED _____
SERIALIZED AM
INDEXED _____
FILED AM

44A-2373-85

in regard to this death. If you or your associates are in possession of same, please forward this information to Special Agent [redacted] Oakland Resident Agency, telephone (415) 451-9782, so that the material can be immediately and thoroughly investigated.

b6
b7c

Thank you very much for your interest and cooperation.

Very truly yours,

RICHARD W. HELD
Special Agent in Charge

(Mount Clipping in Space Below)

Handwriting expert calls Lee death murder

By Norman Melnick
OF THE EXAMINER STAFF

After analyzing handwriting specimens for more than 50 hours, a noted California graphologist has concluded that Timothy Lee — the central figure in a controversial Concord case — was murdered.

In a letter to Thordie Ashley, secretary of the Emeryville branch of the NAACP, Andrea McNichol of Graphology Consultants International in Los Angeles said the writing samples she examined and analyzed are "not the writing of a suicidal individual whatsoever."

The NAACP is investigating Lee's death by hanging from a tree near the Concord BART station last November.

Concord police have ruled the death a suicide. The family and the NAACP have said they are convinced the 23-year-old man was murdered.

McNichol examined a note left by Lee at the death scene and other specimens given to her by Lee's family. She concluded that the "top

part of the (death scene) note was penned at a different time and then someone else or someone holding Timothy's hand wrote the second half."

That note, found near his body, states: "To Tami & Tom I love yoyo sorry Timm." Lee's sister is Tammy and his brother is Tom.

Ashley said McNichol also noted in her two-page letter that Lee's use of the letter 'i' was "very bold, very large." This also suggests that Lee

was not a suicide, Ashley quoted McNichol as saying.

Ashley said she turned McNichol's findings over to the San Francisco FBI office but had not received a response.

The FBI could not be reached last night.

McNichol became interested in the Lee case, Ashley said, when she read an account of it in a Los Angeles newspaper, and volunteered her services.

"She has done extensive work on this — more than 50 hours," Ashley said.

McNichol previously has been a consultant to the Los Angeles Police Department, the FBI and numerous private individuals, according to Ashley.

Virna Canson, West Coast director of the NAACP, in Washington or legislative business, said last night that she had not yet reviewed McNichol's findings.

(Indicate page, name of newspaper, city and state.)

Date: 3-5-86
Edition: Final
B-2 S.F. Examiner
San Francisco, Ca.

Title:

Character:
or
Classification:
Submitting Office: SF

Indexing:

Timothy Charles Lee
*44-2373**
(1/13/86)

SEARCHED _____ INDEXED _____
SERIALIZED *RM* FILED *RM*

MAY 1 1986

FBI - SAN FRANCISCO

File in

44-2373-86

(Indicate page, name of newspaper, city and state.)

(Mount Clipping in Space Below)

Date: 3-6-86
Edition: Morn.
A-13 The Tribune
Oakland, Ca.

Title:

Character:
or
Classification:
Submitting Office: SF

Indexing:

*Timothy Charles Lee
44-2373 *
(1/13/86)*

Handwriting expert: I can solve hanging case

The Tribune

CONCORD — A Los Angeles handwriting expert who said a suicide note attributed to hanging victim Timothy Lee appeared suspicious said yesterday she has new evidence in the hanging case.

Although she won't disclose her findings, Andrea McNichol said "I hope I have" solved the case.

McNichol, of Graphology Consultants International, made headlines last week when she volunteered her services to the Emeryville branch of the National Association for the Advancement of Colored People, which is investigating Lee's death.

Lee, a 23-year-old gay black art student, was found hanging from a tree near the Concord BART station in November. Although police said Lee's death was a suicide, his family and the NAACP are convinced Lee was the victim of a Ku Klux Klan-inspired murder.

Although state Justice Department experts

said the Lee note was authentic, McNichol spotted a copy of the Lee suicide note in the Los Angeles Times and wrote to the NAACP saying it appeared "something was definitely afaul."

McNichol's letter said the note, addressed to Lee's brother and sister, appeared to be written in two parts.

According to McNichol, "The writing of 'Tami & Tom, I love ...' is not the writing of a suicidal individual whatsoever. It is uphill, robust, with firm, buoyant pressure and ending strokes that reach out in a gesture of friendliness and vitality

"It's as if the top part of the note was penned at a different time and then someone else, or someone holding Timothy's hand wrote the second half," McNichol wrote after seeing the note in the newspaper.

SEARCHED INDEXED
SERIALIZED FILED

MAY 1 1986

FBI - SAN FRANCISCO

*File
Ljm*

44-2373-87

FBI

TRANSMIT VIA:

- Teletype
- Facsimile
- _____

PRECEDENCE:

- Immediate
- Priority
- Routine

CLASSIFICATION:

- TOP SECRET
- SECRET
- CONFIDENTIAL
- UNCLAS E F T O
- UNCLAS

Date 3/5/86

FM SAN FRANCISCO (44A-2373)(P)

TO LOS ANGELES (PRIORITY)

BT

U N C L A S

ATTENTION: SUPERVISOR [REDACTED]

UNSUB(S); TIMOTHY CHARLES LEE - VICTIM; CIVIL RIGHTS.

RE TELCALL OF SF SUPERVISOR [REDACTED] TO LA SUPERVISOR [REDACTED]

[REDACTED] MARCH 4, 1986.

FOR INFORMATION OF LOS ANGELES, AT APPROXIMATELY 13:30 PM ON NOVEMBER 2, 1985, THE BODY OF TIMOTHY CHARLES LEE, A BLACK/AMERICAN INDIAN, BORN JANUARY 18, 1962, WAS FOUND BY A CITIZEN HANGING ON A TREE LIMB IN THE VICINITY OF THE BAY AREA RAPID TRANSIT (BART) STATION IN CONCORD, CALIFORNIA. LEE WAS HANGING BY HIS NECK FROM A STRAP TIED TO A TREE LIMB. AN APPARENT SUICIDE NOTE APPARENTLY TO HIS SISTER AND BROTHER WAS LOCATED NEAR THE TREE AND WHICH HAD BEEN WRITTEN ON A WHITE ENVELOPE AND READ, "TO [REDACTED] I LOVE YOU.

RJH/dc (1)

SEARCHED _____
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 INDEXED _____
 FILED 822

Approved: _____

[Handwritten Signature]

Transmitted _____

064/0023 12⁰⁰
(Number) (Time)

Per _____

[Handwritten Initials]

[Handwritten: FHP Oct]

[Handwritten: 44A-2373-88]

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b6
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FBI

TRANSMIT VIA:

- Teletype
- Facsimile
- _____

PRECEDENCE:

- Immediate
- Priority
- Routine

CLASSIFICATION:

- TOP SECRET
- SECRET
- CONFIDENTIAL
- UNCLAS E F T O
- UNCLAS

Date _____

PAGE TWO SF 44A-2372 UNCLAS

SORRY. TIM." THE HANGING DEATH OF TIMOTHY LEE WAS INVESTIGATED BY THE CONCORD POLICE DEPARTMENT (CPD) AND THE CONTRA COSTA COUNTY CORONERS OFFICE AND THE DEATH WAS RULED A SUICIDE. RELATIVES OF THE VICTIM, THROUGH THE NAACP, ALLEGED THAT LEE WAS MURDERED BECAUSE OF HIS RACE AND SEXUAL PREFERENCE. LEE WAS AN OBVIOUS HOMOSEXUAL. THE APPARENT SUICIDE NOTE WAS EXAMINED BY THE BUREAU OF FORENSIC SERVICES, CALIFORNIA DEPARTMENT OF JUSTICE, AND THEY CONCLUDED THERE IS EVIDENCE TO INDICATE THE NOTE WAS AUTHORED BY LEE.

[Redacted]

[Redacted]

[Redacted]

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b7C

Approved: _____ Transmitted _____ (Number) _____ (Time) Per _____

FBI

TRANSMIT VIA:

- Teletype
- Facsimile
- _____

PRECEDENCE:

- Immediate
- Priority
- Routine

CLASSIFICATION:

- TOP SECRET
- SECRET
- CONFIDENTIAL
- UNCLAS E F T O
- UNCLAS

Date _____

PAGE THREE SF 44A-2373 UNCLAS

[REDACTED] THE NAACP FORWARDED A LARGE PACKET
 CONCERNING THE MATTER TO [REDACTED] INCLUDING HANDWRITING SAMPLES OF
 THE VICTIM, STORIES ABOUT THE CASE, AND HANDWRITTEN STATEMENTS FROM
 ASSOCIATES AND FRIENDS OF THE VICTIM.

b6
b7C

b6
b7C

[REDACTED]

[REDACTED]

Approved: _____ Transmitted _____ Per _____
 (Number) (Time)

FBI.

TRANSMIT VIA:

- Teletype
- Facsimile
- _____

PRECEDENCE:

- Immediate
- Priority
- Routine

CLASSIFICATION:

- TOP SECRET
- SECRET
- CONFIDENTIAL
- UNCLAS E F T O
- UNCLAS

Date _____

PAGE FOUR SF 44A-2373 UNCLAS

[Redacted]

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b7C

LOS ANGELES IS REQUESTED TO EXPEDITE COVERAGE OF THE FOLLOWING LEADS DUE TO THE EXTENSIVE NATION-WIDE MEDIA COVERAGE THIS MATTER HAS RECEIVED:

AT LOS ANGELES, CALIFORNIA: (1) WILL CONDUCT INDICES SEARCH REGARDING [Redacted]

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b7C

(2) WILL CONTACT [Redacted] THROUGH ABOVE ADDRESS AND TELEPHONE NUMBERS AND INTERVIEW IN DEPTH CONCERNING THIS MATTER. WILL ALSO OBTAIN A COPY OF ANY WRITTEN REPORT, IF ONE HAS BEEN PREPARED, CONCERNING HER EXAMINATION.

(3) WILL OBTAIN A COMPLETE LIST OF THE CREDENTIALS, BACKGROUND AND EXPERIENCE OF [Redacted] DURING THE INTERVIEW.

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b7C

(4) WILL DISCREETLY ASCERTAIN, THROUGH LOCAL LAW ENFORCEMENT AGENCIES AND OTHER RELIABLE SOURCES, THE REPUTATION AND EXPERTISE OF [Redacted]

BT

Approved: _____ Transmitted _____ (Number) _____ (Time) Per _____

(Indicate page, name of newspaper, city and state.)

Page A-11

The TRIBUNE
OAKLAND, CA

Date: 3/6/84

Edition:

Title:

Character:

or

Classification: 44

Submitting Office:

(Mount Clipping in Space Below)

New twist in Concord hanging mystery

L.A. handwriting expert reports suicide note doesn't match victim's usual style

The Tribune

CONCORD — A Los Angeles handwriting expert who says a suicide note attributed to hanging victim Timothy Lee appears suspicious said yesterday she has new evidence in the Concord case.

Although she won't disclose her findings, Andrea McNichol said "I hope I have" solved the case.

McNichol, of Graphology Consultants International, made headlines last week when she volunteered her services to the Emeryville branch of the National Association for the Advancement of Colored People, which is investigating Lee's death.

Lee, 23, a gay black art stu-

dent, was found hanging from a tree near the Concord BART station in November. Although police said Lee's death was a suicide, his family and the NAACP believe Lee was the victim of a Ku Klux Klan-inspired murder.

Although state Justice Department experts said the Lee note was authentic, McNichol spotted a copy of the Lee suicide note in the Los Angeles Times and wrote to the NAACP saying it appeared "something was definitely afoul."

McNichol's letter said the note, addressed to Lee's brother and sister, appeared to be written in two parts.

According to McNichol, "The writing of 'Tami & Tom, I love ...' is not the writing of a suicidal individual whatsoever. It is

uphill, robust, with firm, buoyant pressure and ending strokes that reach out in a gesture of friendliness and vitality

"It's as if the top part of the note was penned at a different time and then someone else, or someone holding Timothy's hand wrote the second half," McNichol wrote after seeing the note in the newspaper.

After receiving McNichol's letter, Lee's family forwarded more samples of his writing to her firm. After studying the samples for more than 50 hours, McNichol has forwarded her opinion to the Federal Bureau of Investigation and the state attorney general's office.

The NAACP, which sent out a

press release announcing McNichol's original suspicions and offer to help, has refused to talk about McNichol's new findings.

"That's privileged information," said Thordie Ashley, secretary of the Emeryville NAACP branch, which is conducting the investigation.

Concord Police and the FBI have also refused to comment.

Although McNichol said, "I would love to talk to the media, because it would certainly benefit me," she said she was not "at liberty" to say anything.

She did say the differences she found between samples of Lee's normal writing and that in the suicide note were "pretty substantial" and that the note and other samples did not match.

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SERIALIZED FILED
MAY 1 1984
FBI

44A-2373-89

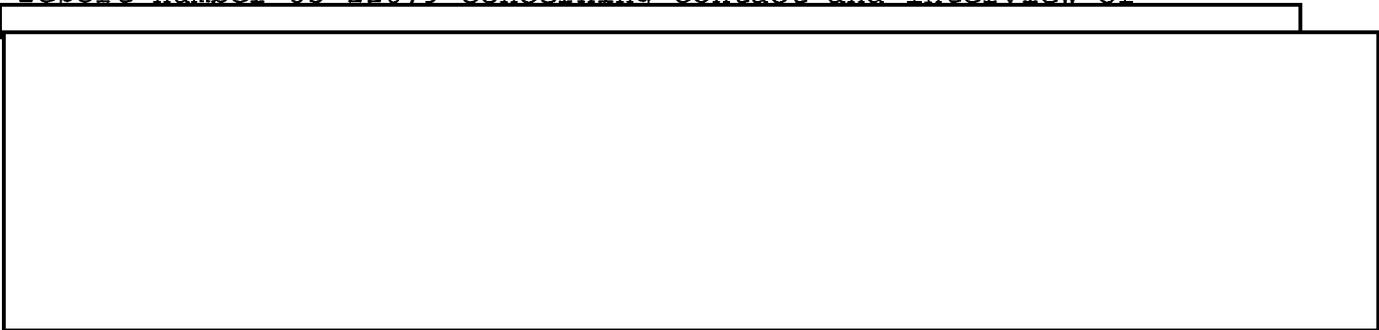
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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 3/10/86

On March 3, 1986, [redacted] Concord Police Department, Concord, California, made available a copy of a supplemental report narrative to Concord Police Department (CPD) report number 85-22679 concerning contact and interview of

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These items are attached as additional pages of this FD-302 as follows:

Investigation on 3/3/86 at Concord, California File # SF 44A-2373 -90
by SA [redacted] /rh Date dictated 3/10/86

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(Indicate page, name of newspaper, city and state.) Page 1
SAN FRANCISCO CHRONICLE
S.F. CA
Date: 3/12/86
Edition: 4 STAR

Bay Man's Suicide Note Called Phony by Expert

By Michael Taylor

A handwriting expert has given Concord police the name of a person she believes wrote a suicide note that was found near the body of Timothy Lee, The Chronicle has learned.

Andrea McNichol, director of Los Angeles-based Graphology Consultants International, has told police the note was not written by Lee, a young black man who was found

hanging from a tree near the Concord BART station last fall.

Instead, she told police, the handwriting in the suicide note is similar to writing found in one of many documents relating to the widely-publicized case that are in the possession of the NAACP.

Concord police and the Contra

Back Page Col. 4

Title:

Character: 44

or

Classification:

Submitting Office:

TIMOTHY LEE SUICIDE NOTE DISPUTED

From Page 1

Costa County coroner have ruled the 23-year-old Lee's death a suicide. NAACP officials and family members say it was murder. They have charged that Lee was killed by somebody who either forced him to write the note or forged Lee's handwriting on it.

McNichol was retained by the NAACP to analyze handwriting in the note found near the body of Lee on Nov. 2, 1985. That note, apparently addressed to Lee's brother and sister, read, "To Tami & Tom I love yoyo sorry Timm."

McNichol "has talked to us about a suspect," said Concord police chief George Straka. "Whether her finding is correct is questionable. She has indicated she has identified some handwriting," in a package of documents relating to the case.

Detectives have decided to interview the person who McNichol believes wrote the note, Straka said, although state Department of Justice handwriting experts disagree with her findings.

Within the last week, Concord police sent the handwriting sample selected by McNichol to the state Department of Justice in Sacramento, where experts compared it with the suicide note.

The state experts told Straka the person McNichol singled out "was not the person who wrote that suicide note," the chief said in an interview.

Straka said the state's handwriting analyst, who maintains that the suicide note was written by Lee, has been testifying as an expert witness in contested documents cases for 20 years. However, the chief also gave high marks to McNichol, a Los Angeles graphologist who "has good credentials."

"She's done work in the courts

and for private corporations. The people we have checked with rely on her," Straka said.

"If our continuing investigation suggests we should get a third opinion, we'll do so," Straka added.

The chief would not identify the person identified by McNichol but stressed that "it was not anybody in law enforcement."

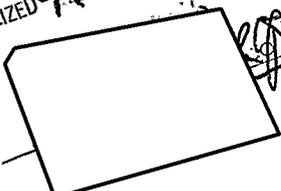
In a telephone interview from her Los Angeles office, McNichol declined to identify the author of the contested document but said she is scheduled to meet with FBI agents this morning to give them a full report on her findings.

McNichol said that although she could not elaborate on what she learned in her analysis of the handwriting examples, "it's real shocking."

She said she has already given copies of some of her material to a friend, "to protect myself in case I was bumped off."

The FBI is investigating the case to determine whether Lee's civil rights were violated. An FBI official in Oakland said the bureau "is aware of the situation" regarding the handwriting samples but would not comment further on the case.

SEARCHED INDEXED
SERIALIZED FILED



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b7c

44A-2373-91



NCBG
National Coalition of Black Gays

930 F Street N.W.
Suite 514
Washington DC 20004
(202) 737-5276

February 14, 1986

b6
b7C

Mr. George Straka
Chief of Police
1950 Parkside Drive
Concord, CA 94519

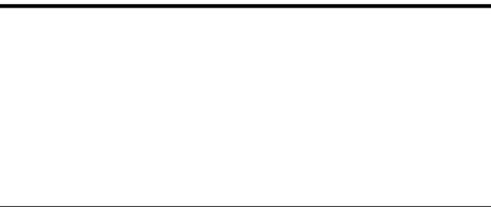
Dear Chief Straka:

On behalf of our constituents in the Bay Area and in support of the appeals of the NAACP and the Coalition Against Racist, Sexist and Anti-Gay Attacks, the National Coalition of Black Lesbians and Gays (NCBLG) strongly urges you to continue investigating the events which led to the death of Timothy Lee.

It is clear to us that there are conflicting reports of how and why the death of Timothy Lee as well as other Black Gay men in the Contra Costa County occurred. From the events reported, we believe Timothy Lee's death was a murder perpetuated by racist and homophobic individuals. No analysis of the events reported or knowledge of Lee's lifestyle convince us that his death was a suicide.

Violence against Lesbians and Gays is encouraged when a case such as this is closed while many questions surrounding the incident go unanswered. We trust that you will continue the investigation into Mr. Lee until all questions surrounding the circumstances of his death have been answered.

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b7C



CC: BAYBLAG
c/o



SEARCHED	INDEXED
SERIALIZED <i>AM</i>	FILED
MAR 3 1986	
SAN FRANCISCO	



44A-2373-92

*File
out*

NAACP/Contra Costa

[REDACTED]

Governor of California
George Deukmejian

California Attorney General
John Van-Dercamp

Federal Bureau of Investigation
Richard Held

Coalition Against Racist, Sexist and Anti-Gay Attacks
c/o [REDACTED]

b6
b7C

P. O. Box 2490
Washington, D.C. 20013



Federal Bureau of Investigation
San Francisco Bureau Office
P. O. Box 36015
San Francisco, CA 94119

ATTN: Mr. Richard Held

FORMS.TEXT HAS 3 DOCUMENTS

INBOX.1 (#1349)

#6

TO: SF @ SAMNET-EMH

FROM: LA @ SAMNET-EMH

SUBJECT: 071/0024 PRIORITY SECT 1 OF 2

DATE: 13 MAR 86 05:42:02 EST

CC:

TEXT:

LA00024 0710542Z

PP SF

DE LA 0024

P 012 0542Z MAR 86

FM LOS ANGELES (44A-5045) (C-2) (P)

TO SAN FRANCISCO (44A-2373) PRIORITY

BT

UNCLAS SECTION ONE OF TWO SECTIONS

ATTN: OAKLAND RESIDENT AGENCY

UNSUBS; TIMOTHY CHARLES LEE - VICTIM; CIVIL RIGHTS.

RE SAN FRANCISCO TELETYPE TO LOS ANGELES DATED MARCH 7, 1986

AND TELEPHONE CALLS BETWEEN LOS ANGELES AND SAN FRANCISCO MARCH 11

AND 12, 1986.

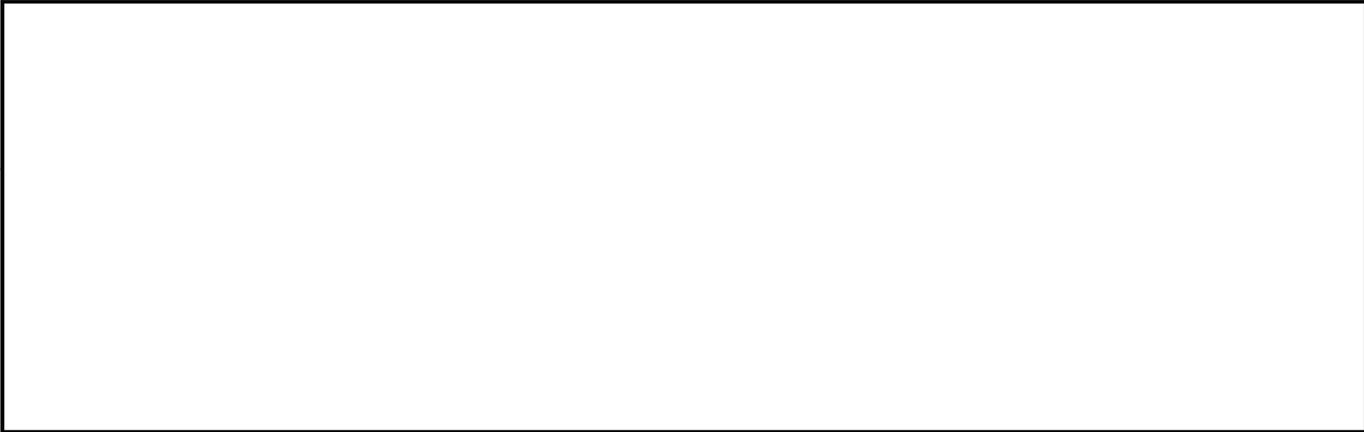
FOR THE INFORMATION OF SAN FRANCISCO

SEARCHED	INDEXED
SERIALIZED <i>AM</i>	FILED
MAR 12 1986	
CISCO	

Concord RA

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b6
b7C
b7D



[Handwritten scribbles]

44A-2373-93

FORMS.TEXT HAS 3 DOCUMENTS

INBOX.1 (#1350)

TO: SF @ SAMNET-EMH

FROM: LA @ SAMNET-EMH

SUBJECT: 071/0025 SECT 2 OF 2

DATE: 13 MAR 86 05:46:24 EST

CC:

TEXT:

LA00025 0710546Z

PP SF

DE LA 0025

P 012 0546Z MAR 86

FM LOS ANGELES (44A-5045) (C-2) (P)

TO SAN FRANCISCO (44A-2373) PRIORITY

BT

UNCLAS SECTION TWO OF TWO SECTIONS

ATTN: OAKLAND RESIDENT AGENCY

UNSUBS; TIMOTHY CHARLES LEE - VICTIM; CIVIL RIGHTS.

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b7c

302 AND ENCLOSURES TO FOLLOW.

(Indicate page, name of newspaper, city and state.)

(Mount Clipping in Space Below)

\$2 million BART claim by 'hanging' victim kin

EXAMINER STAFF REPORT

A \$2-million claim has been sent to BART by the sister and stepmother of Timothy Lee, whose body was found hanging from a tree in a field next to a BART parking lot in Concord last Nov. 2.

The Concord police, following their investigation, determined that Lee, 23, had committed suicide. The FBI, at the request of the NAACP, is currently conducting an investigation into whether Lee's civil rights were violated.

The claim filed earlier this week by Lee's family asserts that Lee was murdered.

*Timothy Charles Lee
44-2373*
(1/13/86)*

Date: 2-7-86
Edition: Final
B-6 S.F. Examiner
San Francisco, Ca.

Title:

Character:
or
Classification:
Submitting Office: SF

Indexing:

SEARCHED INDEXED
SERIALIZED FILED

MAY 1 1986



Concord PA

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44A-2373-94

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(Mount Clipping in Space Below)

Bay Man's Suicide Note Called Phony by Expert

By Michael Taylor

A handwriting expert has given Concord police the name of a person she believes wrote a suicide note that was found near the body of Timothy Lee, The Chronicle has learned.

Andrea McNichol, director of Los Angeles-based Graphology Consultants International, has told police the note was not written by Lee, a young black man who was found hanging from a tree near the Concord BART station last fall.

Instead, she told police, the handwriting in the suicide note is similar to writing found in one of many documents relating to the widely-publicized case that are in the possession of the NAACP.

Concord police and the Contra Costa County coroner have ruled the 23-year-old Lee's death a suicide. NAACP officials and family members say it was murder. They have charged that Lee was killed by somebody who either forced him to write the note or forged Lee's handwriting on it.

McNichol was retained by the NAACP to analyze handwriting in the note found near the body of Lee on Nov. 2, 1985. That note, apparently addressed to Lee's brother and sister, read, "To Tami & Tom I love yoyo sorry Timm."

McNichol "has talked to us about a suspect," said Concord Police Chief George Straka. "Whether her finding is correct is questionable. She has indicated she has identified some handwriting," in a package of documents relating to the case.

Detectives have decided to interview the person who McNichol believes wrote the note, Straka said, although state Department of Justice handwriting experts disagree with her findings.

Within the last week, Concord police sent the handwriting sample

selected by McNichol to the state Department of Justice in Sacramento, where experts compared it with the suicide note.

The state experts told Straka the person McNichol singled out "was not the person who wrote that suicide note," the chief said in an interview.

Straka said the state's handwriting analyst, who maintains that the suicide note was written by Lee, has been testifying as an expert witness in contested documents cases for 20 years. However, the chief also gave high marks to McNichol, a Los Angeles graphologist who "has good credentials."

"She's done work in the courts and for private corporations. The people we have checked with rely on her," Straka said.

"If our continuing investigation suggests we should get a third opinion, we'll do so," Straka added.

The chief would not identify the person identified by McNichol but stressed that "it was not anybody in law enforcement."

In a telephone interview from her Los Angeles office, McNichol declined to identify the author of the contested document but said she is scheduled to meet with FBI agents this morning to give them a full report on her findings.

McNichol said that although she could not elaborate on what she learned in her analysis of the handwriting examples, "it's real shocking."

"She said she has already given copies of some of her material to a friend, 'to protect myself in case I was bumped off.'"

(Indicate page, name of newspaper, city and state.)

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1 S.F. Chronicle
San Francisco, Ca.

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The FBI is investigating the case to determine whether Lee's civil rights were violated. An FBI official in Oakland said the bureau "is aware of the situation" regarding the handwriting samples but would not comment further on the case.

Timothy Charles Lee
*44-2373**
(1/13/86)

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(Indicate page, name of newspaper, city and state.) *Page 1*

*CONTRA COSTA TIMES
WAINWAT CREEK, CA*

Date: *3/14/84*

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Judge won't allow look at phone files

Called setback in Lee case

By Per Mansson
Staff writer

CONCORD — Police failed to convince a judge to let them review pay phone records from the Concord BART station for the day Timothy Lee was found hanging nearby in a fig tree, because police themselves have said no crime was committed.

The setback, police said Thursday, will make it harder to verify a statement by Lee's roommate, Russell Wright, the last person believed to have spoken with Lee before his death.

Wright, 23, gave a written statement in December saying Lee called him at 1:55 a.m. on Nov. 2 from a pay phone at the BART station. Lee

Handwriting experts differ in Timothy Lee case

— Page 5A

lived with Wright in Berkeley, but he had fallen asleep on a train bound for Concord and called Wright when he needed a ride home, Wright said.

Wright is not a suspect in the case, Concord police Capt. Bob Evans said Thursday.

Evans said police wanted to review the telephone records at the Concord BART station's pay phones, but that a Mt. Diablo Mu-

Please see LEE, Page 2A

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From Page 1A

nicipal Court judge turned down a request for a search warrant on Wednesday.

Evans declined to identify the judge, but said the request was denied because police had no grounds to obtain the records, since a crime has not been alleged.

Evans said police weren't giving up on the telephone records, and "would explore other alternatives."

Police and the Contra Costa Coroner's Office ruled Lee committed suicide after they found no evidence of foul play and discovered a suicide note near the fig tree where Lee's body was found.

But last week, Los Angeles graphologist Andrea McNichol told police she studied Wright's three-page handwritten statement and concluded he had written the suicide note.

Although the state Department of Justice Forensic Bureau ruled March 7 that the suicide note was written by Lee, Concord detectives interviewed Wright for more than an hour in Berkeley on Wednesday night, Evans said.

Evans said Wright "denied any involvement."

Wright, a clothing store salesman in San Francisco, declined to comment Thursday, saying he wanted to talk to an attorney first.

During the taped interview with police, Wright provided names of people who might help shed light on Lee's state of mind and his whereabouts during the last hours of his life, said Evans.

Evans stressed there is no new evidence in the case to make police change their original conclusion that Lee hanged himself.

Lee's family and the NAACP have alleged that the aspiring fashion design student was murdered, possibly by members of the Ku Klux Klan or homophobics. Lee was black and openly gay.

McNichol and Lee's sister, Tammy, reported receiving calls Thursday that they described as threatening.

Tammy Lee said a man called her at 9:30 a.m. and screamed at her. "It sounded to me that it was a threat," she said, and she filed a harassment complaint with the Berkeley Police Department.

McNichol said that she had received several calls Thursday afternoon from a man saying, "You are going to get it." She said she heard faint music in the background.

"This isn't funny and I'm afraid," she said.

Page B1

(Indicate page, name of newspaper, city and state.)

The TRIBUNE
OAKLAND, CA

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Hanged man's friend living 'a nightmare'

By Carolyn Newbergh
The Tribune

CONCORD — The Berkeley man identified by a Los Angeles handwriting expert as the author of a suicide note found next to the hanged Timothy Lee said yesterday his life is "becoming a nightmare."

After news stories Wednesday indirectly linked him with the death of the black man found

hanged near the Concord BART station last Nov. 2, the man admitted to having a harrowing day: he was interviewed by Concord police, flooded with press inquiries and his grandmother died.

The young man, a close friend of Lee's, said he thought it un-

See FREIND, Page B-2

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Friend

Continued from Page B-1

wise to talk to reporters without advice from a lawyer.

"It's becoming a nightmare," he said. "This is really unfair. I've got to take care of it the right way."

Concord police contacted the man after graphologist Andrea McNichol submitted a report saying the friend wrote the note, not Lee, who also lived in Berkeley. Afraid of a lawsuit, she has not named anyone publicly.

Like Lee, the friend is 23, black and gay.

Capt. Bob Evans said the friend is not a suspect in the case and that police still regard the fashion-design student's death as a suicide. The friend is being regarded as a "witness" to help police better pin down Lee's circumstances and state of mind just before his death, Evans said.

Evans said police expect to reveal the results of the "continuing investigation" today.

A state Department of Justice forensic handwriting analyst has stated that Lee wrote the note himself, police said.

Evans said two detectives were assigned all day yesterday to follow leads arising out of the talk with the friend in a West Berkeley restaurant Wednesday night.

The police department's conclusion that Lee killed himself was never accepted by his family or the National Association for the Advancement of Colored People, which maintains it was a lynching.

The troublesome case took several other turns yesterday.

Berkeley police said they were investigating a complaint from Lee's younger sister Tammy that she had gotten an "an-

noying or disturbing" telephone call from the friend identified by the graphologist.

The man commented, "I don't know anything about that."

McNichol, a highly regarded graphologist, said she had received numerous "threatening" phone calls yesterday.

She said, "This is what you get for volunteering your services — scared."

She said she sticks by her finding "100 percent" that the friend wrote the suicide note, not Lee.

The young man also complained that one news article, which gave his name and more explicit detail about his life, was "somewhat vicious." The

Tribune has refrained from printing identifying information about the man because he is not a police suspect in the case.

He said Wednesday that a statement he handwrote for the NAACP about Lee's state of mind was prepared to help the civil-rights group and Tammy Lee get the Concord police to reopen the investigation that was closed three days after the man's death. McNichol based her analysis on that document.

But the friend said Lee was not the happy person his family and the NAACP made him out to be. He said he knew Lee very well and that the two had never had a romantic relationship. The

Capt. Evans said police had tried to talk to the man just after Lee's death but that he didn't return phone calls. He said the statement he wrote for the NAACP seemed true and sufficient for a police probe that primarily rested on physical evidence.

Police interviewed the friend and others after McNichol's report to "make sure everything is accurate and there are no unexplained statements," Evans said.

The case is being probed by the Federal Bureau of Investigation. The Lee family has filed a \$3 million lawsuit against BART, Concord and Contra Costa County.

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(Indicate page, name of newspaper, city and state.) *Page 5A*
CONTRA COSTA TIMES
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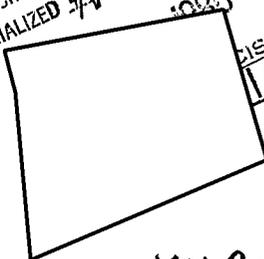
Four handwriting experts

Friday, March 14, 1986

Contra Costa Times—Page 5A

differ in Timothy Lee case

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**By Mary McGrath
and Per Mansson**

Staff writers

Conflicting statements by four handwriting experts — including one former state examiner who investigated a suspected Howard Hughes will — have complicated the already murky evidence in the hanging death of Timothy Lee.

A Campbell handwriting expert has joined Los Angeles graphologist and handwriting expert Andrea McNichol in claiming the note apologizing to Lee's brother and sister was not written by Lee and is a forgery.

But McNichol is the only one of the four to claim the note was written by Lee's 23-year-old roommate, Russell Wright, one of the last people believed to have spoken to Lee. Wright is not a suspect in the case, and the claim shocked Lee's family, Concord police said.

After Lee was found hanging from a tree Nov. 1, Concord police concluded Lee committed suicide. His family has maintained Lee was hanged by racists or homophobics who killed him because he was black and openly homosexual.

The note was scrawled on the back of an envelope and read: "To Tami and Tom. I love yoyo. Sorry. Timm."

Sherwood Morrill, who was hired by a Bay Area newspaper to look at the documents, said Wright did not forge the suicide note.

"I know he didn't write the note. He doesn't write that way. The slant of the letters is different. The formation of the letters is different and the capitals," Morrill said. He based his conclusion on a three-page deposition Wright submitted to police telling how Lee had called him about 1 a.m. asking for a ride.

Morrill said he cannot conclude without more handwriting samples whether Lee wrote the note.

"There are a few things in the note that could easily have been written by him, but it is not something I would want to hang my hat on or go with into court," Morrill said.

Before entering private practice 13 years ago, the 71-year-old Morrill worked for 39 years as head of the documents division of the former state Criminal Identification and Investigation Department of the state Department of Justice, and was hired to examine one of the contested Howard Hughes' wills, he said.

Campbell handwriting expert Charlie Cole, who was hired by the

same newspaper and has testified in superior and municipal courts for 17 years, said neither Lee nor Wright wrote the note. Cole could not be reached for comment, but his secretary, Susan Denison, confirmed his conclusions.

State handwriting expert David Crowe examined a more extensive collection of documents than did the other investigators and has stuck to his conclusion that Lee wrote the note.

Among the documents sent to Crowe at the Bureau of Forensic Services of the California Department of Justice on Nov. 20 were: the original suicide note, a 2½-inch notebook Lee used as a journal of his professional life, a check with Lee's signature made out to the University of California, and an envelope with "Tim" written on top.

Cole and Morrill based their conclusions on three photocopied documents: the suicide note, a homework assignment written on note paper by Lee, and Wright's deposition.

McNichol used copies of the suicide note and other documents as well as six original pages submitted to her by the NAACP from a note-

book Lee used to take school notes.

According to Crowe, it puts an examiner "miles ahead of things" if he has access to original examples of writing.

McNichol said police should ask for another opinion from a handwriting expert, but Concord police Capt. Bob Evans said they do not plan to do so.

Crowe said the state reviews about 50 cases a month and issues rulings on about 60 percent of them when, as in the Lee case, the "evidence is overwhelming and beyond a doubt."

Crowe said he used infrared lights, a microscope and a magnifying glass to study the writing examples.

McNichol, who has 20 years experience on various cases, including the Hitler Diaries, contacted the family after seeing a copy of the note in the Los Angeles Times and concluded the handwriting was too bold and vivacious to be that of a suicidal or depressed person.

McNichol's conclusion is based on a technique called graphology that uses handwriting to study personality traits.

Handwriting analysis is used only to determine whether a document is forged by comparing it to a

handwriting sample.

Graphology is controversial and is traditionally not admitted in court

by judges. Experts in handwriting analysis are allowed by most judges to testify in court.

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Concord has racial friction, mayor admits

By Carolyn Newbergh
The Tribune

CONCORD — The controversy that has raged here over whether a young black man's hanging death was suicide or a lynching has forced the city to recognize it has racial friction.

Admitting there is a problem for the first time, Mayor Ron Mullin said the furor over Timothy Lee's death and the stabbings of two black men by two whites the same night last November "made us stop and see that we really are a lily-

white suburb out here."

"It's strange to say but it was probably all for the best. We've basically ignored the minority part of our community until now. It's hard to be a minority here."

Mullin said the city is already planning a multicultural festival, programs to be held in the schools and displays celebrating leaders and art of different cultures.

"We hope that by the sharing of different cultures there will be more understanding and tolerance," Mullin said. "But I admit you can't do much about creeps who hate different groups of people."

Contra Costa County's largest city has been pounded with charges of racism since Lee, a Berkeley resident, was found hanged near the BART station last Nov. 2, hours after two black men were stabbed in the city by two white men in Ku Klux Klan costumes.

Lee's hanging has been called a suicide by police and a lynching by his family and the National Association for the Advancement of Colored People. The Federal Bureau of Investigation is probing both the hanging and

the stabbing cases, and a state commission is expected to hold a hearing in Concord next month on racism.

About 2 percent of the city's 105,000 residents are black.



Mayor Ron Mullin
'Made us stop and see'

*Timothy Charles Lee
44-2373 * (1/13/86)*

(Indicate page, name of newspaper, city and state.)

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29 S.F. Chronicle
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BAY AREA REPORT

A Hearing on Racism in Concord

A state civil rights commission will hold a hearing in Concord on April 22 to investigate allegations of racism.

The hearing by the state Fair Employment and Housing Commission will focus on allegations of housing and job discrimination and tension between Concord police and minorities.

The hearing at the Farrel A. Stewart Civic Center was requested by the NAACP.

Racism has been a hot topic in the East Bay community of 107,000 since November 2, when a young black man was found hanged outside the Concord BART station just hours after two white men clad in Ku Klux Klan robes attacked two black men outside a Concord bar.

Concord police maintain the incidents are unrelated and have ruled that the hanging was a suicide. Both men involved in the attack near the bar have been convicted of assault and are awaiting sentencing.

*Timothy Charles Lee
44-2373* (1/13/86)*

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Page B-1
The TRIBUNE
OAKLAND, CA.
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Timmy Lee probe reveals nothing new

By Carolyn Newbergh
The Tribune

CONCORD — A renewed investigation into the hanging death of a young black man here is winding down because all new leads are just about exhausted, police said yesterday.

Police also said they have asked the Federal Bureau of Investigation if it might release the findings of its own current probe into the death of Timothy Lee — and thus help police to finally put to rest questions about whether Lee killed himself or was murdered.

The FBI has had no comment for the police and the press about its investigation, saying only that its results will at some point be turned over to the U.S. Department of Justice.

Concord police began re-exploring Lee's death after a Los Angeles handwriting analyst said last month she believed the 23-year-old fashion design student from Berkeley didn't write his suicide note.

In addition, police conducted further interviews into a theory that Lee died at the hands of a Hells Angels bikers club.

Repeating what has become a mantra for Concord police, Capt. Wayne Novinger said yesterday: "We still have found nothing to indicate Timothy Lee's death was anything but a suicide."

Although one officer said police have now "answered all the questions we can think of," Chief George Straka stressed that many loose ends remain to be tied down. Among them are further analyzing connections among Lee's friends, possibly conducting more interviews and

writing up reports, police said.

"We're not calling the investigation closed until all reports are out in front of me," Straka said.

Police concluded several days after Lee was found hanging from a tree near the BART station Nov. 2 that he killed himself. Their finding was based on physical evidence, such as the absence of bruises that would indicate a struggle and the undisturbed ground at the death scene.

Lee's family and the National Association for the Advancement of Colored People say they believe he was murdered and have pointed to perplexing questions about his death.

Capt. Bob Evans said police learned that the biker club theory was concocted at a party at which many people were using methamphetamines or "speed" and, playing off the publicity Lee's death had been getting, came up with their own speculation on how he died. Lee's sister then heard the theory from a family friend who was there, he said.

"That was just a bunch of dopers talking at a party," Evans said.

Novinger said a state forensic handwriting examiner found the assertion that Lee didn't write his suicide note was "baloney." And police have attached no significance to the discovery of an unidentified fingerprint on the suicide note.

Straka said he has asked the FBI to release at least some of its findings "to help us out" but has so far gotten no sign that it

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NAACP concurs that man's death was not 'suicide'

ASSOCIATED PRESS

CONCORD — Piercing screams that roused several neighbors from their sleep prove that a black homosexual found hanging at a transit station was lynched and did not commit suicide, according to a black organization.

"We didn't believe from day one that it was suicide," Thordie Ashley, of the National Association for the Advancement of Colored People, said Friday. "I think the screams will help show he was murdered."

The NAACP rejects a police report calling the Nov. 2 death of Timothy Lee a suicide and has asked for a federal probe, citing "numerous reports of racial intolerance" in recent months in Concord.

In documents filed with the FBI, neighbors said they heard screams and people running at a transit station where Lee's body was found. The agency is investigating the possibility the man was lynched.

Friends and family members said Lee, 23, had called for a ride home from the station and had shown no sign of depression in the days before his death.

Marilyn Hannum and Bill Callison, who share a home near the station, said they heard screams about 15 minutes after friends said they received Lee's phone call. Hannum said she thought it was some sort of hazing.

"If I would have realized as terrible a thing was going on, I would have rushed out there, or called police," said Hannum. "It didn't leap to my mind that someone's actually being murdered — and now I'm living with that."

"They were loud screams, repeated, that seemed to be coming from the BART (parking) lot. When I got up and got dressed and went outside, the screaming had stopped."

About 10 minutes later, Callison said, he heard "three or four screams ... followed by a final scream which had a rising pitch and ended suddenly."

Callison and Hannum say they then heard two or three people running and getting into a car within 30 seconds of the last scream.

Other residents of the racially mixed, working-class neighborhood heard nothing, and say a racial attack would be out of character for the area. They said, however, that BART trains sometimes bring unwelcome visitors.

Hours before Lee died, two men wearing Ku Klux Klan-type robes stabbed two black men in the parking lot of a Concord bar, according to police. The men, who told police they were dressed up for a belated Halloween party, were charged in the attack.

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San Francisco Chronicle

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EDITORIALS

Concord Suicide?

EVIDENCE INDICATES it is far too early to close the book on the mysterious hanging death of a young black man at the Concord BART station last November.

Concord officials say 23-year-old Timothy Lee fit the profile of a suicide candidate. Lee's family claims he was murdered because he was black and gay.

Curious revelations keep coming to light in the strange case. Friends of Lee said that the young fashion design student, who worked in San Francisco and lived in Berkeley, was involved in several post-midnight telephone calls from the Concord BART station reporting he missed his stop and needed a ride home. Those were the last words they ever heard from him.

OTHER INFORMATION on the night of Lee's death has come from a couple who live near the BART parking lot. In affidavits given the FBI, they said they heard screams, commotion and people running.

Concord Police Chief George Straka has said it would be "a waste of time" for the FBI to investigate, but at the very least it might lay to rest the doubts that have arisen about the suicide theory. It is worth the time.

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44-2373-106

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End of the line: The death of Timothy Lee

By Stephen C. Cook
OF THE EXAMINER STAFF

CONCORD — Robes of the Ku Klux Klan. An act of unmitigated racial violence. The image of a young black man hanging dead in a tree.

These nightmare visions of the Old South made a macabre appearance here during the trailing hours of last year's Hal-

loween weekend.

They remain, swirling through the conscious and subconscious, whenever people discuss the death of Timothy Lee.

Over and over since his death Nov. 2, the question has been debated — in the morgue, at the police station, at community meetings, in news stories from here to New

In search of the answer, one starts at the death scene as police found it at 12:40 p.m. Nov. 2, a warm Saturday in the suburbs.

From there, the trail leads through the police and coroner's investigative reports, to the dead man's family and friends for details of their own investigation, their perception of facts uncovered by the police, and the life history and state of mind of Timothy Lee.

Always in the backdrop is this fact: At about 2 a.m. Nov. 2, two miles from where Timothy Lee died, two white Concord men, dressed in the robes of the KKK, came upon two black men talking with white women. They unleashed a string of racial slurs, then attacked the black men with knives.

The tree stands in a vacant lot behind the parking lot of BART's end-of-the-line Concord station. The lot opens onto Mount Diablo Street, more than 100 feet from the tree. About 35 feet west of the tree is an occupied house. About 35 feet north of the tree is a tall chain-link fence, dividing the lot from the BART yard.

Timothy Lee's wallet was found near this fence.

Was it suicide, as the Concord cops say — or was it a KKK-style lynching?

York
Did Timothy Lee, a 23-year-old artist with miles of promise, take his own life? Or was he murdered, perhaps the victim of a Klan-style lynching?

Concord police and the Contra Costa County sheriff-coroner said it was suicide, and they've been under attack ever since.

Lee's disbelieving family, led by a devoted and dependent sister, says it was murder. Family members have garnered the strong support of the NAACP, filed notices of lawsuits and prompted a special civil rights investigation by the FBI.

Was it murder? Was it suicide?

The death scene

The young man dangled by the neck from a nylon strap hung from the branch of an old and twisted fig tree. His feet were less than a yard off the ground.

He wore a blue tank-top shirt, blue jeans with no belt, green boots with the right lace untied, red socks. Credit cards and \$8 cash were in his pockets.

At the base of the tree was an olive-drab knapsack; nearby, a maroon pen and a sloppily written, nine-word note:

"To Tami & Tom I love you Sorry timm"

(Indicate page, name of newspaper, city and state.)

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Stranded in Concord

Lee arrived in Concord at 1:16 that morning, sound asleep on the last BART train of the night. He had

'Based on the situation as I found it, I feel that the victim committed suicide'

—Detective Tony Costa

left San Francisco after midnight, intending to get off in Berkeley and walk to his home.

Soon, says Joyce Carter, of El Cerrito, Lee was calling her home, asking for her daughter Karen, who had not yet arrived home.

"Mrs. Carter, this is Timmy," he said. "I fell asleep on BART and I'm in Concord and the BART station is closing. I can't get home. I need a ride home. I may have to get a room and it's cold."

Carter, who could not help, called Lee's roommate, Russell Wright, in Berkeley and gave him the number of the pay phone at the Concord BART station.

Wright noted the time, 1:55 a.m., and dialed the number for his last conversation with his openly gay roommate.

"He had fallen asleep on the BART train from San Francisco. I assumed he had done the usual. Often on Friday nights he would stay in San Francisco, where he worked, and go out to different places and socialize. So I didn't ask him where he had been because I knew so well. I knew where he had been; there was no question in my mind."

While Lee waited on hold, Wright called various friends, attempting to arrange a ride.

After a few attempts, the situation seemed hopeless and I gave up. He told me that he would find a way home, no matter what, and he would see me in the morning. That was the last I heard of him."

No one has been found who can say for certain where Timothy Lee was, what he did, until 8 a.m., the approximate time of death established by the coroner.

This much is clear, though: If he took his own life, it was not because he was stranded. As he sat in the tree, putting his head in his own noose, he would have been able to see trains leaving the station. They started again at 6 a.m.

Screams and violence

Marilyn Hannum and Bill Callison live across the street from the main entrance to the BART station, more than two city blocks from the hanging tree. Each gave a sworn statement to the National Association for the Advancement of Colored People.

"Around 1 or 2 a.m. on Saturday, Nov. 2, 1985, I heard loud, piercing screams that appeared to be coming from the Concord BART lot or just beyond. There were many repeated screams so I got up to call the police. . . . By this time, however, the screaming had stopped," said Hannum.

"About fifteen minutes or a half hour later the screams started again. This time there were five or maybe seven screams a few seconds apart. After the screaming stopped I heard a voice but could not hear the words clearly. I heard a car door slam and then a group of people came running. It seemed they came from the BART lot. . . . These screams were unlike any I had heard before. Weeks later I learned that a man was found hanging near the BART lot."

Callison: "In the early morning hours of Nov. 2, 1985, I was awake at about 2:10 a.m. At that time I heard three or four screams of about three seconds duration each, followed by a final scream which had a rising pitch and ended suddenly, a hoot or whooping sound.

"About half a minute after that I heard people moving, a voice saying something brief that I did not understand, followed by the sound of what I thought to be about three or four people running."

Those screams in the night haunt the case of Timothy Lee, but they almost pale beside another event that occurred as Lee was on the telephone with his roommate.

Shortly before the bar closed at the Terrace Lounge, two miles from the BART station, two young black men were the victims of a shocking incident of racial violence.

Tony Hall, 19, and Jeffrey Miller, 20, were in the parking lot outside the bar, talking with two young white women, when two white men dressed in the robes of the KKK drove up.

The robed men asked the women if they'd like to come to a party. One of the blacks asked a question about the party.

"No monkeys allowed," said one of the men in white sheets.

A fight began. Soon the putative Klansmen were circling the blacks, lunging with knives, shouting, "Goddamn niggers" and "I'm going to kill you, nigger," while Hall and Miller fended off the blades with a baseball bat.

Hall was critically wounded. Stabbed in the abdomen, he was in the hospital 20 days, underwent two operations. Miller was cut on his arm and required six stitches.

George Harless, 20, and Harold Gallant, 22, were arrested and charged with the stabbings.

The men said they had made the Klan costumes — robes and hoods — to wear to a post-Halloween party Friday night. Police confiscated robes, hoods and knives.

From Gallant, they also took calling cards of the Ku Klux Klan, bearing an address in Denham Springs, La., and a list of friends and telephone numbers. The last two notations on the list were addresses for "Klan info" and "national office."

Harless, who had a minor record of drug and alcohol arrests, pleaded guilty to the assault charge and has

be sent to the Department of Corrections to determine whether he should be sentenced to prison.

An 11th-grade dropout, his parents separated when he was 5. He began smoking marijuana at age 14, drinking at 15, using methamphetamine and cocaine last year.

Concord police associate him with a group of young white males "not noted for their racial tolerance" and named him as a suspect

in a July 12 assault on some people of Iranian heritage at a Concord fast-food restaurant. The investigation into a series of such assaults concluded that Harless and his friends were "primary suspects" but that authorities lacked enough evidence to make any arrests.

The Klan-like incident was "an unprovoked, extremely violent act of racism and terrorism," said Probation Officer Michael Sharrar, but Harless' relatively clean record and lack of sophistication may spare him a prison sentence. (Since the assaults, police have also investigated what they now say was another coincidental fact: that Richard Godfellow, suspect in a Jan. 20 triple murder in Concord, recently lived in Harless' home.)

The probation officer described Harless as intellectually limited, but

called Gallant "a total social liability... a violent, manipulative, irresponsible and apparently vengeful person... Mr. Gallant is also a racist and a bigot, tried and true..." The probation report also concluded that whether or not he was a member of the KKK, he had "clearly embraced that organization's creed and values and is well known as a racial agitator in the Concord area."

Gallant, whose parents separated when he was 4, has a 31-entry police record dating to age 5, according to the probation report. He was known for having provoked racial confrontations and one of his arrests was for a 1981 assault on a black student at Ygnacio Valley High School in Concord. He walked up to the youth and told him, "I hate niggers."

A friend told The Examiner that Gallant has dressed in a Klan robe in the past — for another Halloween party two years ago.

Gallant, also a high school dropout, wrote a note to a fellow inmate while awaiting trial for the stabbings of Hall and Miller. Deputies intercepted the letter. It read, in part:

"Hey, Home Boy. Glad to hear from ya. ... Well it looks like I got myself in some deep s--- this time bro. ... I sent two monkeys to the hospital. ... Your brother of skin, always, Hound Dog."

Concord police Chief George Straka said he does not believe either Gallant or Harless is a member of the KKK, and called the stabbings an isolated incident.

"I believe these were acts by a couple of young, stupid individuals," he said. "We are not going to tolerate this kind of racially motivated activity in this community."

Investigating a death

Tom Brotherton, a security officer whose home is within sight of the vacant lot where Lee's body was found, told police he had walked in front of the lot at 1 a.m. and noticed nothing amiss.

A woman who lives two doors from the vacant lot told Lee's relatives she heard nothing during the night and walked right by the hanging tree at 7 that morning, to feed stray cats in the lot, and noticed

nothing unusual.

Another man in the area said he saw someone closely matching Lee's description walking several blocks from the BART station after 9 that morning.

When Brotherton walked past the lot at 12:10 p.m., he noticed a man behind the tree and thought he was standing there. When the man had not moved 15 minutes later, he looked closer and found he was hanging.

Detective Tony Costa, a seven-year veteran of the Concord Police Department, then in his fourth month assigned to a squad that investigates murders, rapes and other crimes against persons, drew the case. His investigation was quick and confident.

There was no sign the dead man's hands had been bound, his report said, and "I found no signs of

'Timmy had no reason to kill himself. He had too much to live for'

— Tammy Lee, sister

trauma on the victim's face, arms or hands, with the exception of some small scrapes on his upper right arm."

There were fig seeds, other tree debris and part of a squashed fig on the seat of the dead man's trousers.

"Based on the situation as I found it, I feel that the victim committed suicide by climbing a large branch that was only three or four feet from the ground at the tree trunk itself. He then moved out from the trunk and, while sitting on the large branch, tied a strap on another large branch above his head. He then put the strap around his neck and pushed himself off the branch, thus hanging himself."

Part of a squashed fig at the place on the branch where Costa imagined the dead man sitting

seemed to match the fig debris on his trousers.

As far as Costa was concerned, one day after the body was discovered, the case was closed.

When the coroner's deputy came to claim the body, he took the strap, the note and all of Lee's belongings. If it's considered murder, police keep the evidence, says police Lt. Al Jordan. If it's suicide, the coroner gets it.

A family's disbelief

From the moment she was told that Timothy committed suicide, Tammy Lee, 22, was a disbeliever. He wouldn't do that, she said. He wouldn't leave her all alone. He knew how she needed him.

"Timmy had no reason to kill himself," she says. "He had too much to live for. And, if he couldn't live for himself, he would live for me."

Few brothers and sisters are as close as Tammy and Timmy. He did her hair and makeup, chose her clothes, advised her on the choice of her friends.

She had relied on Timmy since their childhood days. He was the backbone of the family, the one who held them together when their father was overseas and their mother disappeared for days at a time, she says.

Their mother, a Shoshone, took her children to live on Alcatraz when the island was occupied by

'These screams were unlike any I had heard before'

—Marilyn Hannum, neighbor

Native Americans in November 1969. It was Timmy who made sure they had food and shelter on the island.

"We led a really hard life," Timmy recalls. "When mom died (of drug overdose in 1973) we clung together even more. Mom had taught us to stick together. We

were in the same grade. Mom had held Timmy back because she didn't want us separated."

For a time, they lived with their father, a black man now retired from the Navy, and his second wife. When father and stepmother separated and Robert Lee moved to Tennessee, the children stayed with their stepmother, Elizabeth Casey.

Timmy dropped out of Berkeley High School, not long after he had openly declared his sexual orientation. He later enrolled at continuation school, earned his general education degree, then started taking art classes at Laney College.

He discovered he had a great talent, according to Robbin Davis, who says he was a "surrogate brother" to Timmy Lee from their days in high school.

"I'd go so far as to say that this man was a Rembrandt of the '80s, in a sense," says Davis. "His artwork just really, really stood out. No one ever looked at it and just said, 'Oh.' People were offering, just for sketches, hundreds of dollars. When he started his art classes, the teachers used him as an example of how to do it. He was incredible."

Lee wanted to be a fashion designer, the best in the world, says Davis. He wanted to study in Europe, felt that was where he would make his mark. He had been accepted at a school in Milan, and was to go there next August, says his friend.

Everyone says Lee was excited about the chance to study abroad. He was troubled by it, too.

In the last year, Lee had allowed himself to be a case study for a friend who was studying psychology. Her case report, released by Tammy Lee and the NAACP, in-

cludes this note:

"Psychological stressors: anticipated separation from sister while he attends school in Europe, thereby producing fear of abandonment."

Under a section titled "Problems/Conflicts" the would-be therapist noted:

"A. Tammy's dependent on him. He's afraid she couldn't cope."

B. fears: Fear if he dies before sister, she would become suicidal or manic-depressive (she would be alone); fear of rejection; fear of dy-

ing alone; fear of abandonment; fear of being hurt.

C. Symptoms: At night feels alone; depressed once every six months for a couple days (cries during depression); increase of caffeine (coffee) over past two months."

The last year and a half had been a period of rapid change for Timothy Lee. He had enrolled in one art school, the Fashion Institute of Design Merchandising, then quit after 1½ semesters and took a job with a textile design firm. Last fall, he enrolled at the Academy of Art, quit his textile design job and took another with a firm that promised him a chance at fashion design.

"Coming from such a strange cultural background, he was doing a pretty good job of settling his life, deciding who he was," says DeDe Puma, who worked with him at Barbara Beckmann Designs, his first job.

"I saw him taking control of the issues in his life. He decided work here was a dead end and went to work with Judith Kindler Designs. He changed schools. That is taking action on decisions made to change your life.

"He was absolutely not a candidate for suicide."

"He had so much opportunity coming his way," says Judith Kindler, his last boss. "He had any number of possible alternatives in his life and they were all so exciting."

Robbin Davis says Timothy Lee wasn't what he would call a suicidal person, but adds that during conversations they had about life and death, Lee had said he didn't expect to live to age 30, and that he would kill himself if ever faced with terminal illness.

Suspicion of murder

The family and friends of Timothy Lee started their own investigation into his death the day after the body was found.

First, they stopped at the morgue. Tammy, her stepmother Elizabeth Casey, and Timmy's good friends Robbin Davis and Gary Casper were there.

Look at the suicide note concluded her it was murder, Tammy said.

"Elizabeth first said, 'That isn't his handwriting.' But I said, 'Yes, it is, but he looks scared.' The names

were spelled wrong. And Elizabeth goes, "Tammy, Timmy was murdered," Tammy recalls.

The first public statements from the family said the note was not written by Timothy Lee. Concord police had the handwriting analyzed by a state expert and he confirmed that it was.

Now, Tammy Lee says her brother was forced to write it and left deliberate clues for her that he was writing under duress.

All of the Lee siblings used the diminutive form of their names, she says. She was Tammy, he was Timmy and their brother was Tommy. The Y's were left off in the note. There is also a strange loop above the word "sorry." Tammy says it's a hangman's noose, his way of telling her that he was being lynched.

Robbin Davis, who says that in some ways he was closer to Timothy Lee than his sister, has his own interpretation of the note.

"Timmy was a very creative person, and he would play on words and do different things with words. I remember from their high school days Tammy and Timmy would keep journals and they had their own handwriting and things, so they could read them and no one else could.

"This note, it could mean a lot of things to each person. What happened? He left off a lot of the Y's sort of like there is no reason why. All their names, he didn't put on the Y.

"When I read the note I was trying to feel the emotion someone could be going through at that point, feelings about your family. Just thinking too much about your family could stop you. His sister's name Tammy (why?), his brother Tommy (why?), Timmy (why?) I could just sort of feel that the Y's would get to him."

The coroner warned Tammy Lee that her brother's body was just as it had been when found, not cleaned up. The strap was still around his neck. Ants from the fig tree infested the body. Perhaps they shouldn't look at it today.

"I told him I wanted to see everything," says Tammy.

In the room with the body, Davis says, everyone else was very shocked and they stood there at a distance. But Tammy and I were up close. I was holding her from touching him. And I saw these little brown spots.

"I was wondering if maybe it was AIDS. I asked the coroner what the little brown marks were and he said they were ant bites."

"They said they were ant bites," says Tammy, "but I knew they couldn't be ant bites. The ants were so small. He would have had to have been there for days. These marks were on his arms, hips and chest."

At first Tammy said they looked like cigarette burns and that her brother had been tortured. Now, she says she thinks they "looked like someone had held him hard at his arms and hips, with nails that broke his skin."

The skin wasn't broken, says Davis. "When I looked at an angle to see if there was any protrusion of the skin or anything, it was pretty smooth. It was like they had taken off the top layer or two of skin."

The pathologist, Dr. Louis Daugherty, would say after the autopsy that the marks were, indeed, ant bites. Tammy Lee does not accept his findings.

Her brother's face was contorted. She saw it as an expression of total horror, as if he had been tortured.

There was white residue on his face and the family has suggested it was semen, that perhaps Timmy had been raped or seduced before being killed. They ask why the coroner didn't check for an indication of recent sexual activity or rape.

Davis saw the same residue and believed it to be saliva.

The fact that his neck was not broken puzzled them, but police said a broken neck would have been evidence of murder and this was consistent with suicide.

When she looked closely at the strap around her brother's neck, Tammy said, she didn't recognize it.

"I said, 'That's not the strap that was on his backpack,' and the coroner said, 'You have to take that up with the police. That's not a coroner's issue.'

"The next day, the strap was burned. We had been saying we thought he was murdered, over and over, so obviously the strap should have been kept as evidence."

Capt. Al Moore, commander of the sheriff's coroner's office, said the strap was thrown out once the death was ruled a suicide. There was no reason to keep it, he says, but from now on such evidence will be retained for several weeks.

From the coroner's office, those who cared for Timothy Lee went to the death scene.

"We went out to the tree and climbed up and sat in the exact spot," says Davis. "We talked to the man who found him and went to a lot of places around that area to see if anyone had seen him. We talked

'His face wasn't beat in. His fingernails weren't ripped apart'

— Robbin Davis, friend

to the woman who went into the lot to feed the cats. She would have had to walk right by him, so it had to be after 7 o'clock.

"It just seemed too clean — his body, the scene. There weren't any marks on him and I know him as a person who wouldn't go down without a fight.

"There was a house not a hop, skip and a jump away from the tree. It doesn't seem like a likely place for a group to take someone to kill him. How would they know someone wasn't in that house right there?"

The screams in the night were hours before the time of death estimated by the coroner, hours before the woman walked through the lot to feed the cats.

"His face wasn't beat in. His fingernails weren't ripped apart. He was always good for using his nails (in a fight). If someone was holding a gun on him and telling him to

write a note and climb a tree, he would have been found with bullet holes in him," says Davis.

Tammy Lee noticed other things.

Why, she asks, was his wallet found over by the fence, 36 feet away? She thinks one of the killers threw it there.

The official reports note he had bark and fig residue on the back of his pants. If he climbed that tree instead of being put there, she asks, why was there nothing on the front of his clothes?

His jacket was hanging near the base of the tree and he was wearing just a tank top. Her brother was particularly sensitive to the cold, she says, and wouldn't have taken off his coat without being forced to do so.

Weather records show it was an Indian summer weekend, with Concord's lows in the mid-40s and highs in the 80s.

"When we came out of that lot we were literally scraping figs off our shoes," Tammy says. "They were all over the ground. Timmy's shoes were new and clean, save for one fig stuck in the tread of his sole. It seemed a little weird to me. It makes us think he was just set up in the tree, that he'd already been killed."

Elizabeth Casey thought the mark she saw on Timothy Lee's neck looked like it had been made by someone who had struggled to wrap the strap around his neck, cutting into the tissue as he choked off the air supply.

The pathologist found the mark consistent with suicide and fixed the cause of death as "neck compression, due to hanging."

The coroner's office also noted that Lee was legally drunk when he died. His blood alcohol reading was 0.13.

Aftermath of reexamination

Thordie Ashley, a volunteer with the Emeryville chapter of the NAACP, called the Lee family after reading a news story about his death and the Klanlike stabbing that occurred the same night.

"There were so many discrepancies," she says. "This was a typical lynching thing. It's typical of the

Klan to lynch black males. That comes from way back.

They began by collecting documents — the police and coroner's reports, statements from the people who talked to Lee that night, from friends and workers who testify to his healthy state of mind. They show this collection to reporters, then add their stories to the file.

There is no statement from Robin Davis in the file. Police quote him as saying that, when he told the family of his belief that Timothy had committed suicide, they asked him "not to bring up the negative side of the situation."

Lee's last paycheck came back to his employer indicating it had been deposited on Monday, Nov. 4, two days after his death. It was unsigned. This information was passed on to the news media, as the family pressed police to reopen the investigation.

Police got a subpoena for Lee's bank records and found the check had been deposited at an automatic teller machine in San Francisco, the Friday night before his death.

Ashley says there's still a discrepancy. "He was an artist who would have signed it with a flourish," she says. "He signed all his other checks."

After enough stories about Lee's death had been published and broadcast, says Ashley, people started to come forward with information.

Callison and Hannum told of

'Concord may never be the same'

— Virna Canson, NAACP

hearing screams in the night. The NAACP took their affidavits and publicly released them, while calling for an FBI investigation of the Lee death.

The bureau announced it would investigate and report its findings to the Civil Rights Division of the U.S. Justice Department.

Concord police welcomed the federal investigation. They sent officers to the Callison-Han-

num home and had them listen while other police officers stood at the hanging tree and screamed. The sound did not carry that far, they say, and they suggest the screams came from the area of a nearby bar, which would have been closing about that time.

When Hannum said later that an anonymous male called and warned her not to talk about the screams again, police put a tap on her phone. The man didn't call again.

On Jan. 16, a woman called the NAACP to report that she knew a member of the Klan who had said he put a gun to Timothy Lee's head and made him write a suicide note. She sounded young, terrified and credible, says Ashley, and did not want to give her name.

Ashley says she asked the woman to call the FBI, and was told by Oakland agent Gary Johnson that the woman had called, but nothing more.

Johnson refuses to say anything about his office's investigation of the case and would not publicly confirm receipt of the call.

He doesn't know if the final report on the investigation will be made public, he says, adding that it's not up to the FBI, but to the Civil Rights Division office in Washington, D.C.

The Concord Police Department, accused of closing the case too quickly, now takes the formal position that "all evidence points to suicide" but any new leads will be investigated.

A detective is now tracking down those who attended the Friday night party where Harless and Gallant appeared in their Klan robes. They want to know whether others were dressed the same way.

Joel Butler, a black community leader in Concord, who once found "KKK" and the start of a swastika scratched on his car, has told them he thinks he saw two other men in Klan robes near the party site that night.

The city of Concord, growing quickly as it attracts businesses seeking to move to the suburbs, is sensitive to the negative publicity generated by the Lee case and reports of Klansmen in robes.

It recently took steps to reactivate, in some form, a human relations task force it had phased out a

year ago under the impression that Concord, with a black population amounting to just 2 percent of its 100,000 residents, had no serious racial problems.

Booker Neal of the Community Relations Division of the U.S. Justice Department has been participating in discussions aimed at bringing back the task force.

"We deal mainly with interracial tensions or situations involving interracial conflict," says Neal. "Anytime there is a potential for bad racial relations, we will go in to lend assistance."

Virna Canson, regional director of the NAACP, says the task force will open communications between the city and citizens who feel they have been victims of racial intolerance.

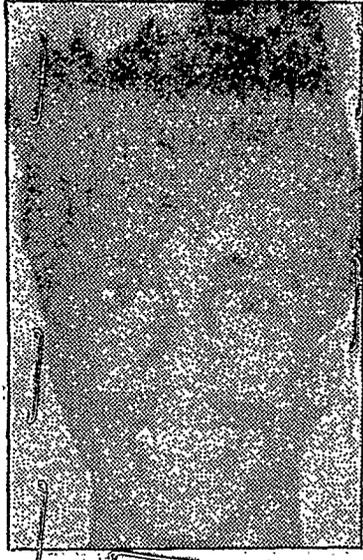
Regardless of the final verdict on the death of Timothy Lee, if there is one, the NAACP has made great gains just by forcing this reopening of the lines of communication.

"Concord may never be the same," Canson says.



Examiner/Nicole Bengtson

THORDIE ASHLEY, NAACP VOLUNTEER WORKING ON THE CASE
'It's typical of the Klan to lynch black males'

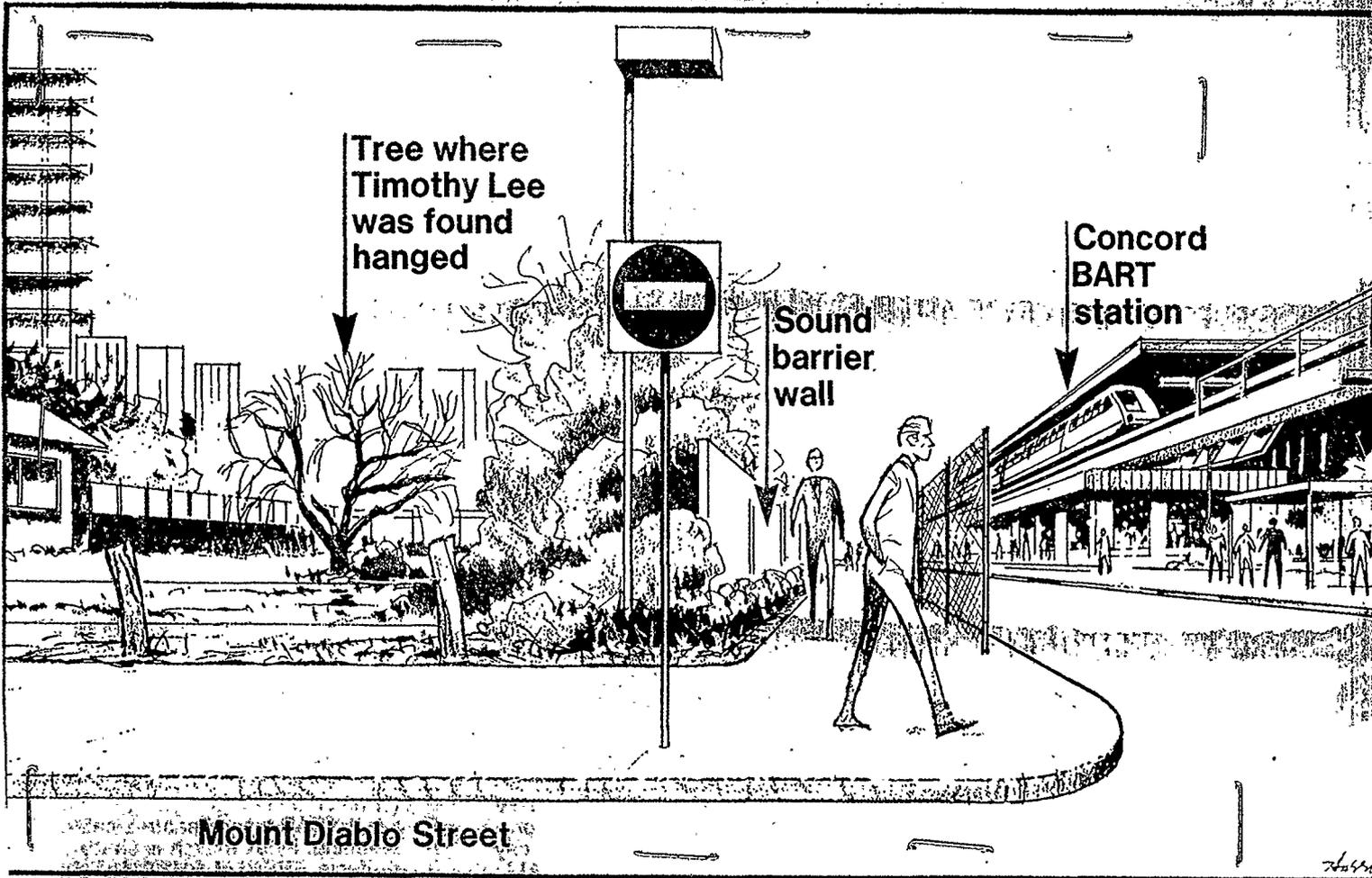


Timothy Lee, promising young artist found hanged near the Concord BART station last Nov. 2



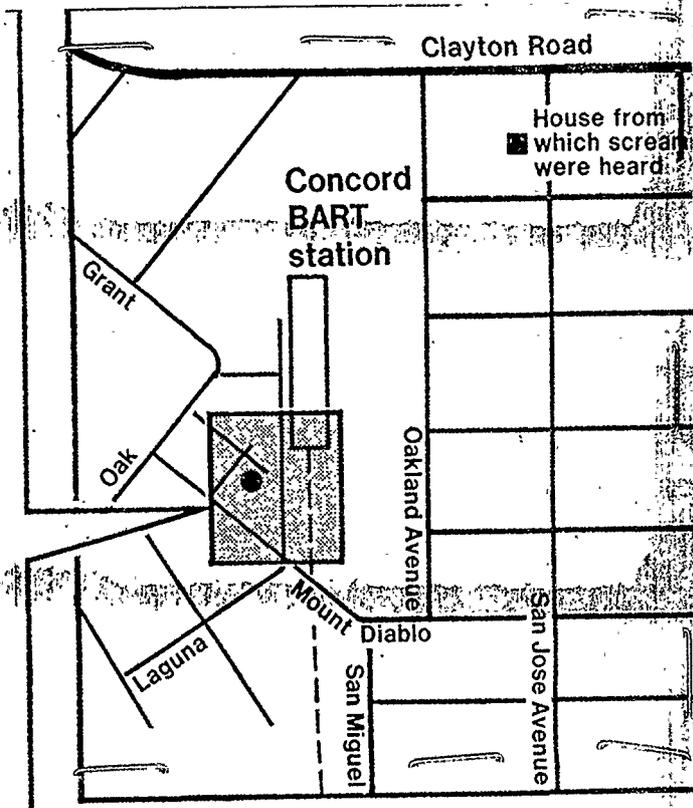
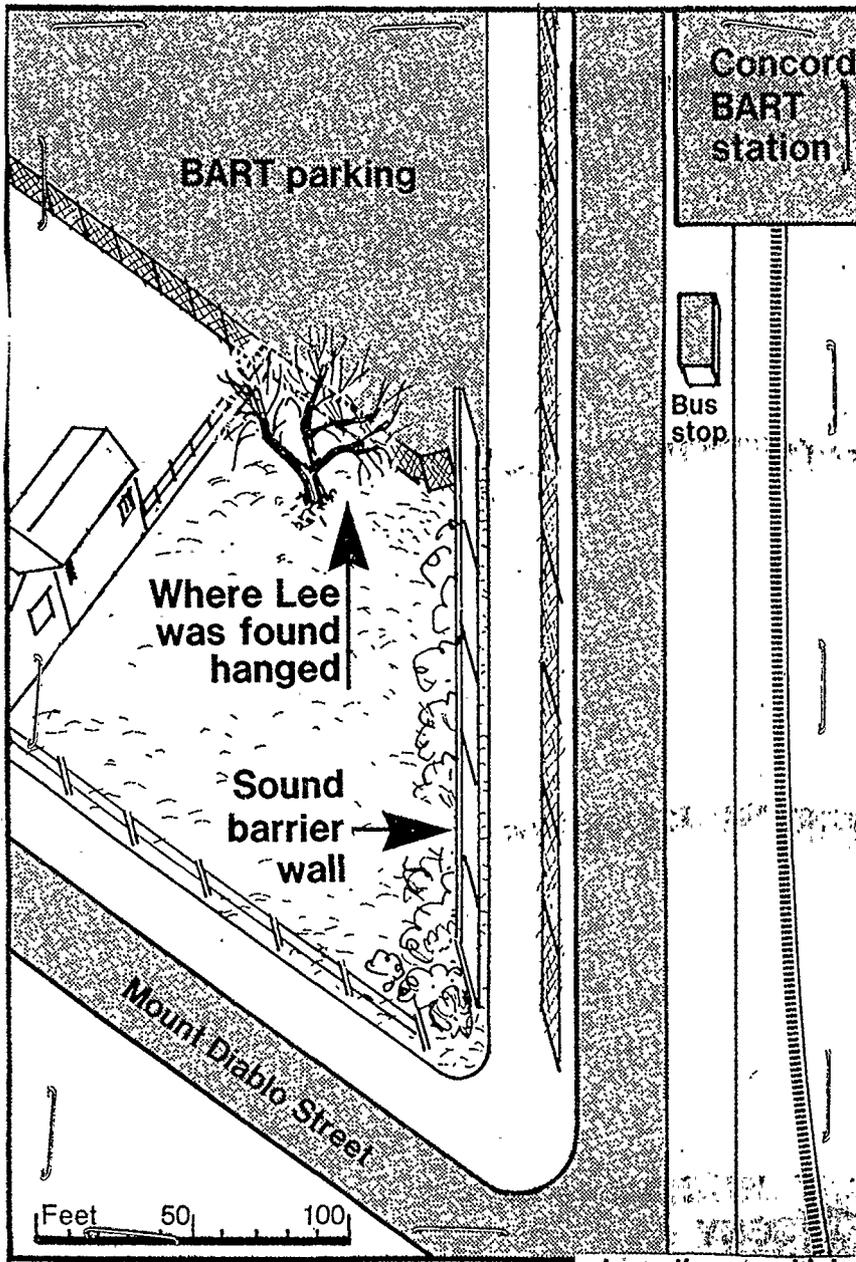
Examiner/Paul Glines

Tammy Lee, 22, believes her brother Timothy was murdered: 'If he couldn't live for himself, he would live for me'



The death scene where Timothy Lee's body was found hanging from a tree in a lot across from Concord BART station.

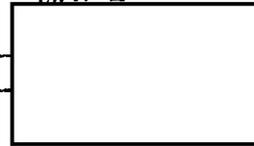
Exami



Map at right shows the vacant lot where the body was found, the BART station and the house two blocks away where the neighbors heard screaming just hours before Lee died. Detail map at left shows hanging tree in the lot behind a sound barrier wall

SEARCHED _____ INDEXED _____
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b7c

CONCORD POLICE DEPT
Offense Report

Orig X supp . typ .. key Cr 85-22679.

Class : CORONERS CASE.....
Rept date : 110285 rept time : 1236
Occur date : 110285 to occur time: 1210 to
Location occ : MT DIABLO ST/LAGUNA ST.....
Routing : DET BUREAU.....

PERSONS ----- b6
----- b7C

A-arrestee S-suspect W-witness V-victim O-owner
C-complainant J-subject K-c/v B-business victim

Invl :
Name :
Addr :
City :
Dob :
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Invl :
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Invl : V
Name : LEE,TIMOTHY CHARLES..... phone H: typ : H
Addr : 1433 HEARST ST,XX..... B:
City : BERKELEY..... st: CA Dl#: C3112253..... st: CA
Dob : 011862 r: N s: M ht: ... wt: ... hr: ... ey: ... ss#:
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PROPERTY/EVIDENCE -----

Evidence - Csi yes: X no: . Name [redacted] b6
none : . photos : X trace evid: X standards: . b7C
prints: . diagram: X impressions: . other: .

PROPERTY CODES:
REPORT NARRATIVE -----

At 1236 hours, [redacted] called CPD to report a subject hanging in a tree in the vacant lot next to 1416 Mt. Diablo Street. b6
b7C

At 1238 hours, I responded to the scene. I arrived at 1239 prior to the arrival of other CPD personnel or CFD and Regional Ambulance.

The vacant lot is located east of 1416 Mt. Diablo Street, and backs up to BART on the north side. The north side is enclosed by a 6 foot cyclone fence. A 6 to 7 foot cement fence is on the east side. The lot is open across the front. The tree in which the victim was found hanging is a fig tree, 112 feet from the street.

The victim was hanging from a branch on the east side of the tree. His back was to the street, and the head was tilted to the right side of his body. The victim was clothed with a blue tee shirt, blue jeans and green boots. There was no belt on the pants, and the right shoe lace was untied. The victim's arms and hands were hanging straight down the sides.

The victim had no pulse, was cold to the touch, the arms were stiff, and the neck was elongated. The eyelids were partially closed. I could not determine if there was any pupillary reaction. Ants were crawling all over the victim's face and upper body area. Based on the above objective signs, it was apparent that the victim was dead.

The victim's feet were approximately 1 foot off the ground. There was no evidence of any support object, i.e. stool or box. There were no signs of binding on the hands or wrists, or marks from these.

There were slight skin abrasions on the back of the right elbow and arm. However, there was no evidence of blood at these abrasions. There was tree debris located on the jeans at the small of the back, but none on the bottom of the pants at the base of the buttocks.

The noose was a black strap with metal fasteners. It was tied in a knot on the upper branch. The loop around the neck was completed with a metal fastener. Several broken branches and limbs were in the area, however none of the plants below or beside the victim's feet were broken or pressed down. There was a black jacket laying in the fork of the tree.

There was a green backpack adjacent to the base of the tree. The top was open, and it appeared to contain papers and personal items. Next to the backpack was a maroon ballpoint pen, however I did not handle this or determine the color of it's ink. About 6 feet north of the backpack was a white envelope. There was a note written on it, "To T (the next four or five letters could not be deciphered)... and [redacted] I love you. Sorry" and signed [redacted] or "Tim". The first name could be [redacted] and it was signed [redacted] or Tim. b6 b7c

A brown wallet was located 36 feet N/E from the tree. It had a California drivers license in the victim's name. The photo on the drivers license was of the victim. I didn't search the wallet, backpack, or handle the evidence.

[redacted] said he first saw the victim at 1210 hours. The witness thought the victim was urinating while he was partially hidden by the tree. [redacted] went home, and returned about 15 minutes later. He saw the victim in the same position, so he walked to within 15 feet of the tree and saw that the victim was hanging. [redacted] contacted [redacted] who called CPD. [redacted] initially saw the victim from the sidewalk adjacent to the street, approximately 90 feet from the tree. Neither [redacted] knew the victim, nor had they seen him in the area in the recent past. They did not see any people near the victim.

b6
b7c

The scene was processed by [redacted] and [redacted] Officers [redacted] responded for follow up investigation. See their supplemental reports. See supplemental report by [redacted] for neighborhood check.

b6
b7c

Case pending.

Reporting Officer: [redacted] [redacted] App By [redacted]
Date/Time Written: 110285 / 1630 Date/time typed 110385/ 0500 CL....

b6
b7c

PAGE 1 OF 3 CONCORD POLICE DEPARTMENT OFFENSE REPORT CR # 85-22679

CLASSIFICATION () ORIG (M) SUPP CORONERS CASE DATE AND TIME REPORTED 11-2-85 1238 ROUTING (M) Det. Bur. () Juv. Bur. () Traf. Bur. () Sp. Inves. () Other/Agency:

OCCURRED: DATES 11-2-85 TIMES 1238 LOCATION OCCURRED 416 MT. DIABLO ST. BURGLARY & THEFT FROM AUTO - M.O. FACTORS LOCKED () Yes () No () Unknown FORCED ENTRY () Yes () No () Unknown RANSACKED () Yes () No () Unknown SELECTIVE TAKE () Yes () No () Unknown TAKE EASILY REMOVED () Yes () No () Unknown LONE SUSPECT () Yes () No () Unknown DAY () Yes () No () Unknown SINGLE DWELLING () Yes () No () Unknown MULTIPLE DWELLING () Yes () No () Unknown OTHER:

INVOLVEMENT CODES: A - Arrestee S - Suspect K - C/V V - Victim C - Complainant J - Subject W - Witness B - Business Victim O - Owner

INVOLVMT CODE C LAST NAME SEE ORIGINAL FIRST MIDDLE HOME PHONE BUS. PHONE ADDRESS CITY STATE SOCIAL SECURITY NO. OLN/ID NO. STATE DOB RACE SEX HEIGHT WEIGHT HAIR EYES ADDITIONAL INFO.

INVOLVMT CODE LAST NAME FIRST MIDDLE HOME PHONE BUS. PHONE ADDRESS CITY STATE SOCIAL SECURITY NO. OLN/ID NO. STATE DOB RACE SEX HEIGHT WEIGHT HAIR EYES ADDITIONAL INFO.

ADDRESS CITY STATE SOCIAL SECURITY NO. OLN/ID NO. STATE DOB RACE SEX HEIGHT WEIGHT HAIR EYES ADDITIONAL INFO.

INVOLVMT CODE LAST NAME FIRST MIDDLE HOME PHONE BUS. PHONE ADDRESS CITY STATE SOCIAL SECURITY NO. OLN/ID NO. STATE DOB RACE SEX HEIGHT WEIGHT HAIR EYES ADDITIONAL INFO.

INVOLVMT CODE LAST NAME FIRST MIDDLE HOME PHONE BUS. PHONE ADDRESS CITY STATE SOCIAL SECURITY NO. OLN/ID NO. STATE DOB RACE SEX HEIGHT WEIGHT HAIR EYES ADDITIONAL INFO.

VEHICLE INVOLVEMENT CODE: A - Arrestee V - Victim S - Suspect X - Stolen R - Recovered I - Impounded N - Stored O - Released to Owner P - Parked at Scene Z - Repossession VEH. INVL CODE LIC LIS VYR VMA VMO VST VCO ADDITIONAL INFO. VIN # REG. OWNER ADDRESS VALUE \$

EVIDENCE () None () Photos () Trace Evidence () Standards
 CSI () Yes () No Name () Prints () Diagram () Impressions () Other

PROPERTY CODES	INVOLVEMENT CODES: E - Evidence S - Stolen R - Recovered O - Safety of Others	K - Safekeeping F - Found L - Lost	CATEGORY CODES: A - Automotive E - Equipment/Tools O - Office Equipment S - Sports Equipment Y - Other	B - Bicycle H - Household Appliances P - Personal Accessories T - TV D - Dollars/Money	C - Camera M - Musical Instruments R - Radio/Sound Devices V - Viewing Equipment K - Credit Cards	DISPO CODES: P - Prop. Room R - Ret. Owner O - Other:	STOLEN \$ — RECOVERED \$ —
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USE ADDITIONAL LINES AFTER EACH ITEM FOR ANY ADDITIONAL DESCRIPTION/INFORMATION
 - Additional bicycle information must minimally include: Boys/Girls, Color(s), Wheel Size, No. of Speeds, Locked/Unlocked, City License No.

#	INVOLV CODE	CAT CODE	ARTICLE	BRAND	MODEL	SERIAL #	VALUE	DISPO CODE
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REPORT- I MONITORED. A CALL FROM CPD DISPATCH REGARDING A MAN HANGING IN A TREE AT THE ABOVE LOCATION. I RESPONDED TO ASSIST [REDACTED] WHO WAS THE FIRST OFFICER AT THE SCENE.

I TALKED TO [REDACTED] WHO GAVE HIS INITIAL STATEMENT TO [REDACTED] THEN TOLD ME THE FOLLOWING: HE NORMALLY TAKES WALKS AROUND THE NEIGHBORHOOD DURING THE NIGHT. THIS MORNING HE TOOK A WALK AT APPROX 0100 HRS. HE WALKED PAST THE EMPTY LOT AT 1416 MT. DIABLO ST. & DID NOT NOTICE ANYTHING UNUSUAL.

I THEN TALKED TO [REDACTED] WHO SAID HE SAW A NMA WEARING A BLUE T-SHIRT & LEVIS WALK OUT OF THE BEACON GAS STATION, 1313 GALINDO RD, AT APPROX 0910 HRS. THE NMA WAS WALKING S/B ON GALINDO RD. TOWARD DETROIT AVE. HE SAW THE SAME NMA APPROX 10 MINUTES LATER, STILL WALKING S/B IN FRONT OF THE SHOPPING CENTER AT MONUMENT BLVD. & WALTERS WAY. HE SAID THE NMA WAS ALSO CARRYING A BAG OR SOMETHING SIMILAR IN ONE HAND. [REDACTED] LOOKED AT THE SUBJECT HANGING IN THE TREE & SAID HE COULD NOT BE SURE IT WAS THE SAME PERSON.

I ATTEMPTED TO CONTACT THE RESIDENTS AT 1416 MT. DIABLO ST., WHICH IS TO THE NORTH SIDE OF THE EMPTY LOT,

BUT NO ONE WAS HOME. I THEN TALKED TO AN [REDACTED]

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b7C

[REDACTED]
[REDACTED]
[REDACTED] SHE

SAID SHE SAW NOTHING & HEARD NOTHING. SHE ALSO REFUSED TO GIVE ME HER NAME SAYING SHE DID NOT WANT IT ON ANY POLICE REPORTS.

I CHECKED THE AREA FOR ANY FURTHER WITNESSES WITH NEGATIVE RESULTS.

I ALSO CHECKED THE SURROUNDING FIELD AREA & THE SURROUNDING STREETS FOR ANY SIGNS OF DISTURBANCE OR ANYTHING PERTINENT TO THIS CASE WITH NEGATIVE RESULTS.

SEE ORIGINAL.

REPORTING OFFICER	BEAT	DATE AND TIME REPORT WRITTEN	SUPERVISOR APPROVING	TYPIST	DATE AND TIME REPORT TYPED
[REDACTED]		11-3-85 1200			

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PERIOD	ALPHAS	CODING	CRIME CLASS						
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PAGE 1 OF 4	CONCORD POLICE DEPARTMENT				CR # 85-22679
() ORIG (X) SUPP	OFFENSE REPORT				

CLASSIFICATION	DATE AND TIME REPORTED	ROUTING
SUICIDE	11/21/85 1236	(X) Det. Bur. () Juv. Bur. () Traf. Bur. () Sp. Inves. () Other/Agency:
OCCURRED: DATES	TIMES	LOCATION OCCURRED
11/23/85	CHOO	CONTINUING INVESTIGATION

BURGLARY & THEFT FROM AUTO - M.O. FACTORS			
LOCKED	FORCED ENTRY	RANSACKED	SELECTIVE TAKE
() Yes () No () Unknown	() Yes () No () Unknown	() Yes () No () Unknown	() Yes () No () Unknown
LONE SUSPECT	DAY	SINGLE DWELLING	TAKE EASILY REMOVED
() Yes () No () Unknown	() Yes () No () Unknown	MULTIPLE DWELLING	() Yes () No () Unknown
			UNIQUE FACTOR INVOLVED (SPECIFY)
			b6
			b7C
OTHER:			

INVOLVEMENT CODES: A - Arrestee S - Suspect K - C/V V - Victim C - Complainant J - Subject W - Witness B - Business Victim O - Owner

OLN/ID NO.	STATE	HEIGHT	WEIGHT	HAIR	EYES
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ADDITIONAL INFO.

INVOLVMT CODE	LAST NAME	FIRST	MIDDLE	HOME PHONE	BUS. PHONE
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OLN/ID NO.	STATE	HEIGHT	WEIGHT	HAIR	EYES
------------	-------	--------	--------	------	------

ADDITIONAL INFO.

CODE	ADDRESS	CITY	STATE	SOCIAL SECURITY NO.
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OLN/ID NO.	STATE	DOB	RACE	SEX	HEIGHT	WEIGHT	HAIR	EYES
------------	-------	-----	------	-----	--------	--------	------	------

ADDITIONAL INFO.

INVOLVMT CODE	LAST NAME	FIRST	MIDDLE	HOME PHONE	BUS. PHONE
---------------	-----------	-------	--------	------------	------------

ADDRESS	CITY	STATE	SOCIAL SECURITY NO.
---------	------	-------	---------------------

OLN/ID NO.	STATE	DOB	RACE	SEX	HEIGHT	WEIGHT	HAIR	EYES
------------	-------	-----	------	-----	--------	--------	------	------

ADDITIONAL INFO.

VEHICLE INVOLVEMENT CODE:									
A - Arrestee		S - Suspect		R - Recovered		N - Stored		P - Parked at Scene	
V - Victim		X - Stolen		I - Impounded		O - Released to Owner		Z - Repossession	
VEH. INVL CODE	LIC	LIS	VYR	VMA	VMO	VST	VCO	ADDITIONAL INFO.	
VEH. INVL CODE	LIC	LIS	VYR	VMA	VMO	VST	VCO	ADDITIONAL INFO.	
STOLEN VEH INFO	VIN #	REG. OWNER			ADDRESS			SAME AS V	
UNIQUE FEATURES								VALUE	
								S	

94A-

SEARCHED _____	INDEXED _____
SERIALIZED _____	FILED _____
JAN - 6 1986	
FBI - SAN FRANCISCO	
GON	

2 OF 4 OFFENSE REPORT 85-22679

EVIDENCE: (X)None ()Photos ()Trace Evidence ()Standards

CSI: ()Yes (X)No Name ()Prints ()Diagram ()Impressions ()Other

PROPERTY CODES	INVOLVEMENT CODES: E - Evidence K - Safekeeping S - Stolen F - Found R - Recovered L - Lost O - Safety of Others	CATEGORY CODES: A - Automotive B - Bicycle C - Camera E - Equipment/Tools H - Household Appliances M - Musical Instruments O - Office Equipment P - Personal Accessories R - Radio/Sound Devices S - Sports Equipment T - TV V - Viewing Equipment Y - Other D - Dollars/Money K - Credit Cards	DISPO CODES: P - Prop. Room R - Ret. Owner O - Other:	STOLEN \$ — RECOVERED \$ —
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USE ADDITIONAL LINES AFTER EACH ITEM FOR ANY ADDITIONAL DESCRIPTION/INFORMATION
 - Additional bicycle information must minimally include: Boys/Girls, Color(s), Wheel Size, No. of Speeds, Locked/Unlocked, City License No.

#	INVOLV CODE	CAT CODE	ARTICLE	BRAND	MODEL	SERIAL #	VALUE	DISPO CODE
<p>INVESTIGATION ON 11/23/85 AT 0400 HRS I HAD SHOWN THE PICTURE OF TIMOTHY LEE TO THE EMPLOYEES OF DENNY'S RESTAURANT, 1313 WILLOW PASS RD, AND [REDACTED] TOLD ME SHE RECOGNIZED HIS PICTURE. SHE TOLD ME THE FOLLOWING: SHE BELIEVES V-LEE HAD BEEN INTO DENNY'S MORE THAN ONCE, AND FEELS SHE LAST SAW HIM APPROXIMATELY 5-6 WEEKS AGO, AT THAT TIME V-LEE HAD COME INTO DENNY'S WITH ANOTHER SUBJECT. SHE DESCRIBED THE SUBJECT AS A [REDACTED]</p>								

[REDACTED] BELIEVES THEY CAME IN AT APPROXIMATELY MIDNIGHT ON A WEEKNIGHT. SHE DOES NOT REMEMBER WHAT THEY WERE WEARING, BUT THINKS THEY WERE BOTH VERY NEATLY DRESSED, BOTH V-LEE AND THE SUBJECT WERE NOT INTOXICATED, AND BOTH WERE IN GOOD SPIRITS, THEY PAID IN CASH, AND LEFT A LARGE TIP.

[REDACTED] FELT BOTH SUBJECTS WERE GAY.

DATE AND TIME REPORT WRITTEN	SUPERVISOR APPROVING	TYPIST	DATE AND TIME REPORT TYPED
11/24/85-2237			

AND SAID V-LEE ACTED VERY FEMININE. SHE HAS NOT SEEN EITHER SUBJECT SINCE.

AT 0530 HRS I DROVE TO CHICK'S DONUTS, 1801 WINDY PASS RD. I SHOWED THE EMPLOYEES THE PICTURE OF TIMOTHY LEE, AND [REDACTED] TOLD ME HE HAD SEEN HIM APPROXIMATELY THREE WEEKS AGO AT 0400 HRS ON A WEEKDAY MORNING. HE IS UNSURE IF IT WAS FRI/SAT MORNING. V-LEE HAD COME WALKING N/B ACROSS THE PARK-N-SHOP PARKING LOT AND HAD WALKED TO THE FRONT OF CHICK'S DONUTS WHICH WAS CLOSED. [REDACTED] LET V-LEE IN, AND SOLD HIM SOME COFFEE WHICH HE PAID FOR IN CASH.

[REDACTED] TOLD ME V-LEE WAS NOT INTOXICATED, AND SEEMED IN GOOD SPIRITS. HE DESCRIBED HIM AS A SHARP DRESSER, WEARING BROWN SILK TYPE SHIRT WITH A STRIP OR DESIGN ON IT, BROWN SLACKS, AND CARRYING A BROWN JACKET.

V-LEE WAS ALONE, AND STAYED INSIDE CHICK'S FOR APPROXIMATELY FIVE MINUTES, SMILING AT [REDACTED] HE LEFT IN AN UNKNOWN DIRECTION.

I ALSO SHOWED THE PICTURE OF TIMOTHY
 LEE AT FRY'S FOODS, WILLOW PASS RD / FRY WY,
 7-11 STORE, OLIVERA RD, 7-11 STORE FARM
 BUREAU RD / WILLOW PASS RD, AND THE
 CHEVRON STATION, WILLOW PASS RD / GALINDO ST
 WITH NEGATIVE RESULTS.

CASE PENDING.

REPORTING OFFICER	BEAT	DATE AND TIME REPORT WRITTEN	SUPERVISOR APPROVING	TYPIST	DATE AND TIME REPORT TYPED
		11/24/85 7237			

CONCORD POLICE DEPT
Offense Report

Orig . supp X 02 typ .. key Cr 850022679

Class : CORONER'S CASE.....
Rept date : 110285 rept time : 1236 HRS
Occur date : 111685 to occur time: 0515 to 0700 HRS
Location occ : MT. DIABLO AND LAGUNA STREETS.....
Routing : DETECTIVE BUREAU.....

PERSONS -----

A-arrestee S-suspect W-witness V-victim O-owner b6
C-complainant J-subject K-c/v B-business victim b7C

Invl :
Name :
Addr :
City :
Dob :

[Redacted box for Person 1]

Invl :
Name :
Addr :
City :
Dob :

[Redacted box for Person 2]

Invl :
Name :
Addr :
City :
Dob :

[Redacted box for Person 3]

b6
b7C

Invl :
Name :
Addr :
City :
Dob :

[Redacted box for Person 4]

Invl :
Name :
Addr :
City :

[Redacted box for Person 5]

Dob : [redacted]
:
:

Invl : [redacted]
Name :
Addr :
City :
Dob :
:
:

REPORT NARRATIVE -----

Per the request of [redacted] I was detailed to Laguna and Mt. Diablo Streets in hopes of contacting citizens who might have observed any activity prior to Timothy Charles Lee's incident. b6 b7c

The following is a journal synopsis paraphrased in regards to my contacts and interviews which occurred on this date between 0530 and 0700 hours.

[redacted] a regular BART commuter during the regular morning hours. His route normally follows Laguna Street eastbound to the BART station. He told me he observed nothing unusual during the early morning hours of November 2, 1985. b6 b7c

[redacted] BART commuter, usually utilizes Laguna Street as a normal route to BART from his home on [redacted] could not remember any activity on the morning of the incident.

[redacted] an early morning BART commuter. He told me on the morning of the incident, November 2, 1985, he did not see anything that was peculiar to him. b6 b7c

[redacted] also an early morning BART commuter between the hours of 0530 and 0600 hrs. He told me he couldn't remember anything that would have drawn his attention the morning of November 2, 1985. b6 b7c

[redacted]
His information is on file.

[redacted]

CONCLUSION

The above subjects were contacted in regards to the Lee case. I feel, because of the extreme coldness of this morning, and the fact of it being a Saturday, I was exposed to a limited number of contacts. I will continue to pursue possible witnesses in regards to this incident.

[redacted] 11/16/85 2040 HOURS md/11-17-85/14 b6 b7c

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[Redacted]

There were no signs of a struggle around the base of the tree, nor in the tree itself.

I then checked the victim's body. He had apparently hung himself by tying knots in a black nylon strap. I found no signs of trauma on the victim's face, arms, or hands, with the exception of some small scrapes on his upper right arm. I also found some seeds and other tree debris on the seat of the victim's pants. There was also a black jacket on a branch near the victim's body.

[Redacted]

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found \$8 in one-dollar bills in the victim's left rear pocket, and a small credit card wallet in his right rear pocket. The wallet contained several credit cards with the victim's name.

Based on the situation as I found it, I feel that the victim committed suicide by climbing a large branch that was only three or four feet from the ground at the tree trunk itself. He then moved out from the trunk and, while sitting on the large branch, tied a strap on another large branch above his head. He then put the strap around his neck and pushed himself off the branch, thus hanging himself. The debris on the seat of his pants would be consistent with his sitting on the large branch. The scrapes on his right arm could have been sustained when he was maneuvering himself out on the branch or when he rolled off the branch when he hung himself.

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Also, the apparent suicide note was addressed to [Redacted] which was consistent with the business letter addressed to [Redacted]

[Redacted] which was found in his knapsack.

Deputy Coroner responded to the scene and took custody of the body and all of its apparent belongings.

10/04/85

I phoned the Contra Costa County Coroner's Office. The autopsy was performed on V Lee today. It revealed that death was caused by hanging. There was no unusual trauma on the victim's head or other parts of his body. A report of the autopsy will be forwarded to this Department.

Case closed.

[Redacted]

11/4/85 1630

[Redacted]

df/mvr 11/5/85 0100

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CONCORD POLICE DEPARTMENT
 TECHNICAL SERVICES UNIT
 SUPPLEMENTAL REPORT

BEAT [REDACTED]

PAGE 1 OF 4 PAGES

CASE NUMBER

85-22679

CASE NUMBER 85-22679	CLASS Coroners Case	ORIGINAL DATE 11-2-85	TIME 1236	[REDACTED]		
DATE RESPONDED 11-2-85	TIME ARRIVED 1251	TIME COMPLETED 1557	LOCATION 1416 Mt. Diablo St.			
VEHICLE:	<input type="checkbox"/> SUSPECT <input type="checkbox"/> VICTIM	YEAR	MAKE	MODEL	COLOR	LICENSE NUMBER

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E	P	EVIDENCE (numerical)	1	to	2	
		PHOTOGRAPHS (numerical)	1	to	50	0 Latent Cards

11 } Photos of the overall scene showing
 the general location, the victim,
 handwritten note and other
 items including the v's wallet.

150 }
 At the request of [REDACTED] and
 [REDACTED] I responded to the
 above location regarding a subject
 hanging in a tree.
 When I arrived [REDACTED]
 [REDACTED] were on the
 scene.

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b6
b7C

I took approximately fifty photos
 of the overall scene including photos
 of the victim and other items
 believed to belong to the victim.

The v. was hanging by the
 neck from the second large limb
 of a fig tree located in a vacant
 lot East of 1416 Mt. Diablo Street.
 The back of the lot backs up to
 the North Bart Parking lot fence
 line. The front of the lot faces
 Mt. Diablo Street and is highly
 visible. The lot has a few trees
 and is not overgrown with shrubs
 or tall weeds.

The v's back was to the street
 with the arms and hands hanging
 straight down to the sides. The head

CONCORD POLICE DEPARTMENT
 TECHNICAL SERVICES UNIT
 SUPPLEMENTAL REPORT

BEAT

PAGE 2 OF 4 PAGES b6
 b7C

CASE NUMBER
85-22679

CASE NUMBER 85-22679	CLASS Coroner Case	ORIGINAL DATE 11-2-85	TIME 1236		
DATE RESPONDED 11-2-85	TIME ARRIVED 1251	TIME COMPLETED 1537	LOCATION 1416 Mt. Diablo St.		
VEHICLE:	<input type="checkbox"/> SUSPECT	YEAR	MAKE	MODEL	COLOR
	<input type="checkbox"/> VICTIM				LICENSE NUMBER

E P EVIDENCE (numerical) 1 to 2
 PHOTOGRAPHS (numerical) 1 to 50 0 Latent Cards

was tilted slightly to the right. There were several scratch marks on the v's right forearm but there was no blood present.

The noose was a black cloth type strap with metal buckles at each end (chrome colored). There was a black colored jacket in the tree adjacent to and slightly above the victims head.

There was tree debris and what appeared to be "fig seeds" on the seat (left back pocket) of the v's jeans. I collected a sample of the "seeds" and placed it into evidence as item #2. Upon further examination I found a portion of smashed fig on the lower limb in direct line with fig residue found on the left rear pant pocket of the v's jeans. Judging from the location of the smashed fig on the lower tree limb and the fig residue on the seat of the v's pants, it appears the victim had been sitting on the lower tree limb.

The top of the noose attached to the second tree limb measured 8' to the ground. The noose around the v's neck measured 6' to the ground. The top of the lower branch measured

CASE NUMBER
85-22679

CASE NUMBER 85-22679	CLASS Coronoid	ORIGINAL DATE 11-2-85	TIME 1236			
DATE RESPONDED 11-2-85	TIME ARRIVED 1251	TIME COMPLETED 1557	LOCATION 1416 Mt. Diablo St.			
VEHICLE:	<input type="checkbox"/> SUSPECT <input type="checkbox"/> VICTIM	YEAR	MAKE	MODEL	COLOR	LICENSE NUMBER

E P EVIDENCE (numerical) _____ to _____
 PHOTOGRAPHS (numerical) _____ to _____ Latent Cards

6 $\frac{1}{2}$ to the ground and the top of the v.p. heels measured 11" to the ground. (See attached sketch).
 Near the base of the tree was an Army green colored canvas backpack. The backpack was open and appeared to contain misc. papers, books and other personal items. Near the backpack was a ballpoint pen and a white envelope with a handwritten note on the back saying "To Love You, Sorry" signed "What appeared to be "Jim"."

There were several broken tree limbs and small branches at the base of the tree. The two (larger) branches appeared to have been broken for some time, as the break was dry and brittle with no sap present. The small branches near the victim's feet appeared to be freshly broken. None of the branches were pressed down and there was no evidence of any struggle.

A brown canvas wallet was located 36 $\frac{1}{2}$ NE of tree near the N. fence of the Bart parking lot. The wallet contained a CDK issued to the victim. I did not search the wallet for any additional information.

CONCORD POLICE DEPARTMENT
 TECHNICAL SERVICES UNIT
 SUPPLEMENTAL REPORT

BEAT
 PAGE 4 OF 4 b6
 b7C

CASE NUMBER
 85-22679

CASE NUMBER 85-22679	CLASS Coroner Case	ORIGINAL DATE 11-2-85	TIME 1236		
DATE RESPONDED 11-2-85	TIME ARRIVED 1251	TIME COMPLETED 1557	LOCATION 1416 Mt. Diablo St.		
VEHICLE:	<input type="checkbox"/> SUSPECT <input type="checkbox"/> VICTIM	YEAR	MAKE	MODEL	COLOR
					LICENSE NUMBER

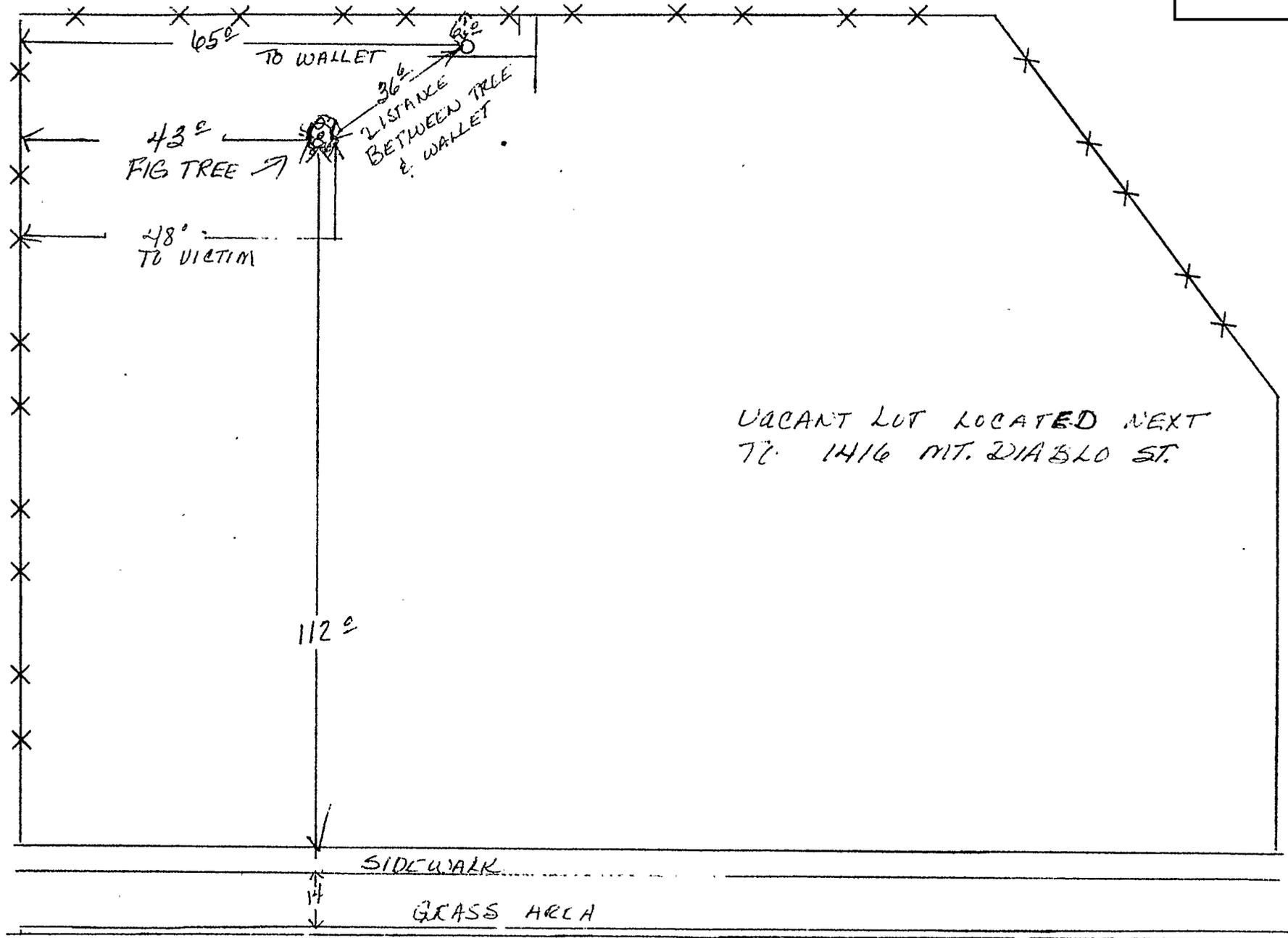
E	P	EVIDENCE (numerical) _____ to _____	Latent Cards
		<p>PHOTOGRAPHS (numerical) _____ to _____</p> <p>See the attached diagrams and sketch for additional information and measurements.</p> <p>The body and all personal items belonging to the victim were removed by Deputy-Coroner </p>	
1		11 Polaroid pictures of the victim and other personal items	
2		Sample of what appears to be "Fig Seeds" from the left rear pocket of the victim's jeans.	
		<div style="border: 1px solid black; width: 300px; height: 80px; margin: 0 auto;"></div>	

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b6
b7C

CHART PARKING LOT

CR# 85-22679 :b6
11-2-85 :b7C



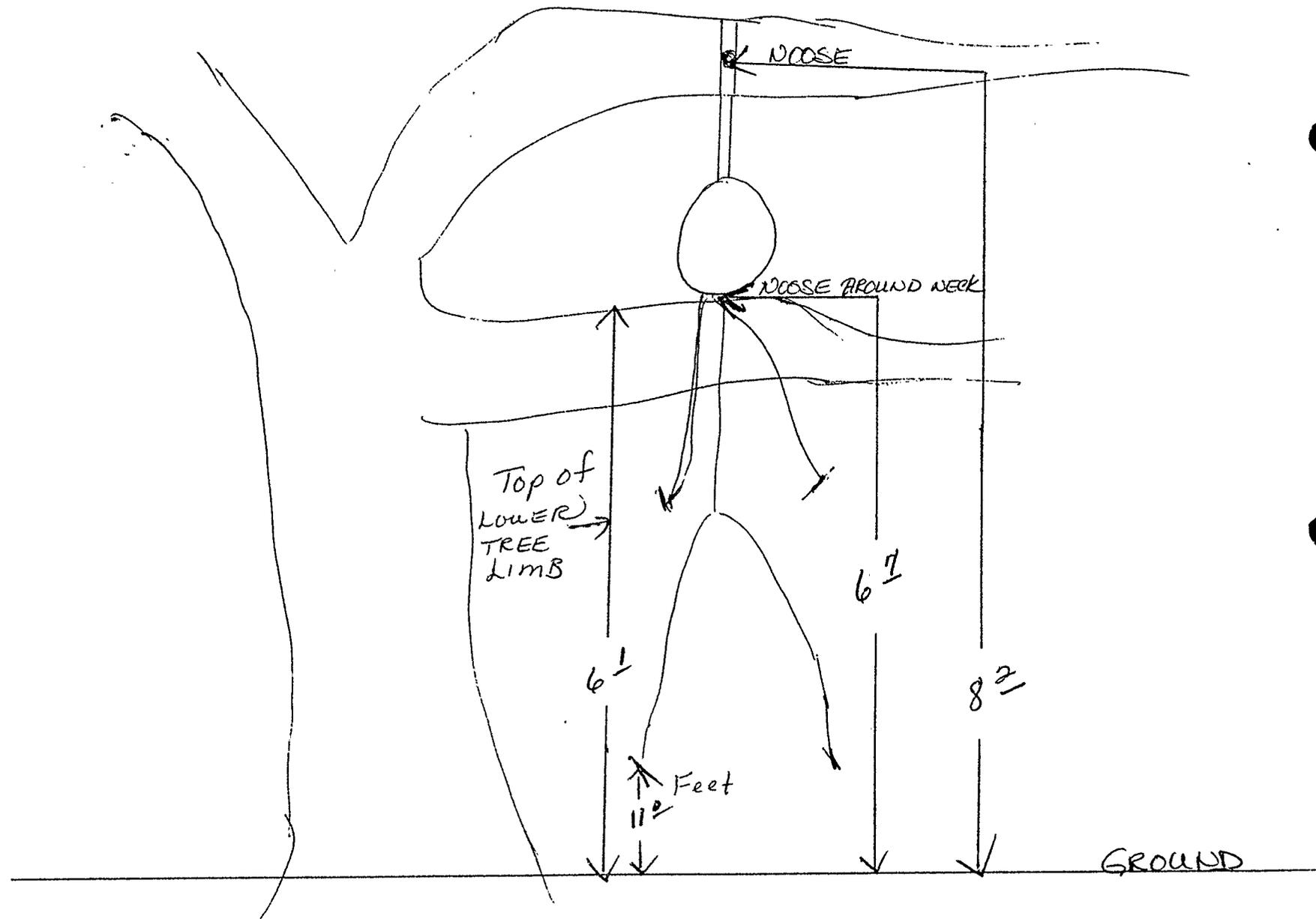
VACANT LOT LOCATED NEXT
TO 1416 MT. DIABLO ST.

117. DIABLO ST.

CR# 85-22679



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b7C



CONCORD POLICE DEPT
Offense Report

supp X

Cr 85-22679

Class : CORONER'S CASE
Rept date : 110285 rept time : 1236
Occur date : to occur time: to
Location occ : MT DIABLO ST/LAGUNA ST
Routing :

PERSONS -----

A-arrestee S-suspect W-witness V-victim O-owner
C-complainant J-subject K-c/v B-business victim

Invl : V
Name : LEE, TIMOTHY CHARLES..... phone H: typ : H
Addr : B:
City : st: CA Dl#: st: CA
Dob : r: . s: . ht: ... wt: ... hr: ... ey: ... ss#:
: SEE ORIGINAL REPORT.....
:

Invl :
Name :
Addr :
City :
Dob :



Invl :
Name :
Addr :
City :
Dob :



Invl :
Name :
Addr :
City :
Dob :
Add :
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Invl :
Name :
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:
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44A-

SEARCHED _____	INDEXED _____
SERIALIZED _____	FILED _____
JAN - 6 1986	
FBI - SAN FRANCISCO	
<i>CS</i>	

PROPERTY/EVIDENCE -----

Evidence - Csi yes: . no: . Name .
 none : . photos : . trace evid: . standards: .
 prints: . diagram: . impressions: . other: .

PROPERTY CODES:

Involvmnt: E-evidence F-found K- safekeeping L-lost
 : S-stolen R-recovered O-safety of others
 Category: A-automotive B-bicycle C-camera D-dollars/money
 : E-equip/tools H-househd appl K-credit cards M-musical instr
 : O-office equip P-personal acc R-radio/sound S-sports equip
 : T-television V-viewing equip W-weapons Y-other
 Dispo cds: P-prop rm R-ret to owner O-other

Total value STOLEN: \$ RECOVERED: \$

#: 01 Inv cd: E cat cd: Y article: CASSETTE TAPE OF PHONE INTERVIEW
 WITH [REDACTED] DATED 11/15/85 disp code: P

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#: 02 Inv cd: E cat cd: Y article: CASSETTE TAPE OF INTERVIEW WITH
 [REDACTED] ON 11/19/85 disp code: P

REPORT NARRATIVE -----

11/07/85

I checked CPD records for any possible contacts with V-Lee prior to his suicide with negative results.

I phoned [REDACTED] at the University of California, San Francisco campus police. I asked him to check on what V-Lee was being treated for at the UCSF clinics.

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11/08/85

[REDACTED] phoned me and said UCSF records indicated that V-Lee was being treated for a hernia. He said that he had no other information on V-Lee.

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At approximately 1000 hours, [REDACTED] came to CPD along with [REDACTED] sat with [REDACTED] and me in the station library. We answered several of their questions regarding V-Lee's suicide. I also allowed them to read all the reports that we had at that time. After answering questions, [REDACTED]

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[REDACTED] CPD, contacted me and said that he had been contacted by [REDACTED] told him that he may have talked to V-Lee on the evening of 11/01/85-11/02/85. At approximately 1300

hours, I phoned [redacted] He told me that on the morning of 11/02/85 at approximately 0130 hours, he was walking home from a party at a friend's house. He said that he was walking from Mesa St. on Mt. Diablo St. near where the suicide occurred. He said that a dog had been barking at him as he walked. He saw a WMA walk across Mt. Diablo St. toward the vacant lot. [redacted] told this WMA to be careful because of the dog. [redacted] said that the WMA told him that he wasn't afraid of dogs, and that he wasn't afraid of anything. [redacted] continued to his residence. He didn't see where the WMA went, although he thought he walked toward some bushes in the vacant lot.

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I asked [redacted] to describe the WMA to me. He said he was about 5'11", 155 lbs., with light brown hair. He was wearing a light-colored jacket and a pair of levis that seemed 'too large for him. He also described the WMA as looking "weird".

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I asked [redacted] if there was anyone else in the vacant lot at the time he walked by. He said that he didn't see anyone.

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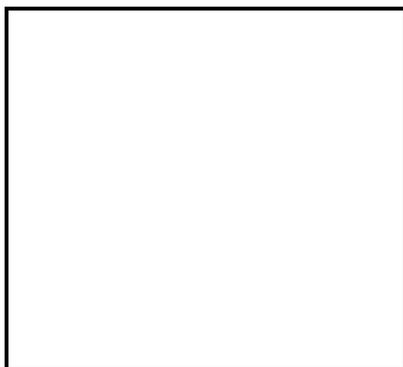
I asked him how he heard about the suicide. He said that someone told him on the afternoon that V-Lee's body was found. [redacted] walked to the vacant lot on Mt. Diablo St. and saw V-Lee's body hanging in the tree. He said that the police had already arrived, and a police-line tape was up. He said that from where he was standing, it didn't appear to be the same person he spoke to earlier in the morning.

I asked [redacted] if anything else seemed unusual in the vacant lot when he walked by. He said that he didn't see anyone else, nor did anything else seem unusual.

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11/15/85 1300 hours

I conducted a neighborhood check at the scene of the suicide, with the following results:



- No one was home. I left my card with a note for the occupants to call me.
- Vacant
- No one was home. I left my card with a note for the occupants to call me.
- I spoke to a [redacted] She said that she was home on 11/01/85 and 11/02/85. She said that she noted nothing unusual. I described V-Lee to her and asked her if she remembered seeing him in the area. She said that she didn't.

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- [REDACTED]
- No one was home. I left my card with a note for the occupants to call me.
 - No one was home. I left my card with a note for the occupants to call me.
 - No one was home. I left my card with a note for the occupants to call me.
 - No one was home. I left my card with a note for the occupants to call me.
 - No one was home. I left my card with a note for the occupants to call me.
 - I spoke to [REDACTED] He said that he was the last one to leave the office on the evening of 11/01/85. He said he left at about 1730 hours, and didn't remember seeing anything unusual. [REDACTED] came back to the office the next morning at about 0900 hours. He said that the complainant told him later in the day about finding the body in the vacant lot. [REDACTED] said that he never saw anything.

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The following residents phoned me at later times:

[REDACTED] phoned me on 11/15/85. She said that she is one of the residents at [REDACTED] She said that she was out of town from 11/01/85 to 11/03/85.

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[REDACTED] also phoned me on 11/15/85. She lives at [REDACTED] She said that she was home, however, she didn't see or hear anything unusual, nor did she see V-Lee (after I described him to her).

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[REDACTED] phoned me on 11/15/85. She worked during the day on both 11/01/85 and 11/02/85. However, she was home each evening. She didn't see or hear anything unusual, nor did she remember seeing anyone matching the description of V-Lee.

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On 11/18/85, [REDACTED] phoned me. He said that he was home on the dates in question, but he didn't see or hear anything unusual, nor did he remember seeing anyone matching the description of V-Lee. He did say that [REDACTED] had heard some second-hand information that someone had seen V-Lee at a Beacon station earlier in the morning of 11/02/85. I asked him to have [REDACTED] call me.

[REDACTED] also phoned me on 11/18/85. She said that she was home on 11/01/85 and 11/02/85, but she doesn't remember hearing or seeing anything unusual. She told me that someone identifying herself as V-Lee's [REDACTED] contacted her on the day after V-Lee's body was found, 11/03/85. She told [REDACTED]

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[redacted] that V-Lee had called her Friday night and told her he would be late, because he was in Concord at the Bart station.

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On 11/21/85 [redacted] phoned me. He lives at [redacted]. He said that he normally walks his dog around 2100-2200 hours every night. He said that he didn't remember hearing or seeing anything unusual on Friday evening, 11/01/85. He said that he didn't know anything about the suicide until he read it in the newspapers several days later.

11/15/85 1100 hours

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I phoned [redacted] at his residence. I taped our conversation, a synopsis of which follows: I asked [redacted] about the newspaper article in which a party was mentioned. I told him that it sounded like the party had occurred the same night that V-Lee came to Concord on Bart. He said that there was no party that night, there was a party a week later, though.

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I asked him when he last saw V-Lee. He said that he last saw V-Lee about 2 or 3 weeks prior to the suicide. I then asked [redacted] how he would describe V-Lee, because everyone seemed to think he was a happy-go-lucky type of person. [redacted] said that V-Lee was a very vibrant person, but he kept a lot of things to himself. He wouldn't show that he was having problems. He said that people wouldn't know if he was having a serious problem, because he kept those things to himself.

V-Lee had told [redacted] [redacted] also said that he knew that V-Lee was not afraid of death.

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I then explained the fact that the autopsy revealed no trauma to V-Lee's body, and there were no signs of any struggling at the scene. [redacted] said that he knew that V-Lee would fight for his life, he wouldn't allow someone to just hang him.

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[redacted] His feeling is that the only way someone could get V-Lee's body up in the tree without him struggling was to drug him. He also feels that the family is feeling a lot of denial and guilt. I asked him if he knew if V-Lee called his sister on the Friday night in question. He said that he didn't think so.

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I then asked [redacted] about the issue the family is raising regarding the suicide note and the manner in which [redacted] is spelled. [redacted] said that V-Lee was a very creative person. To [redacted] V-Lee left the letter Y's off to indicate that there was no "Y" (why) to what he was doing. V-Lee did normally spell his brother and sister's names with a Y. The wording on the note did sound like something V-Lee would write.

I then asked him if he could see V-Lee doing something like this.

[redacted] said that no matter what, no one could hang V-Lee without him fighting. V-Lee had, at one time, told [redacted]

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I asked him why he thought V-Lee ended up in Concord on that evening. He said that V-Lee did know some people in Concord. So the story about him falling asleep on the Bart train didn't sound unusual.

[redacted] said, the part that sounds unusual is the part about him calling his roommate to come and get him. He has friends within walking distance of Bart, and he didn't understand why V-Lee didn't go to one of his friends. I asked who V-Lee's friend was. He told me that it was a [redacted]. He didn't know where [redacted] lived in Concord.

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I asked [redacted] about the strap that V-Lee hung himself with. [redacted] said that V-Lee was very resourceful, and he feels that he could have gotten the strap anywhere.

[redacted] said that from what he has seen, it was a suicide, and it doesn't surprise him that V-Lee would do this.

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I told him that the family has said that there is no way V-Lee could have committed suicide. He said no one can say that, and he understands why the family is saying that he couldn't commit suicide. [redacted] said that he feels that the family is now experiencing a lot of guilt.

I asked him how long he had known V-Lee. He said that they had been very close friends for the past eight years.

[redacted] The interview was then terminated.

I told [redacted] that I might be recontacting him at a later date.

[redacted] CPD, told me that a [redacted] may have information on V-Lee. He gave me [redacted] phone number. I phoned [redacted] and he

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I asked him if he might remember seeing V-Lee on the night in question. He said that he didn't know, but he would have to see a picture of V-Lee. I then requested that he come to the station, and he agreed.

When [redacted] came to CPD, I showed him a newspaper photo of V-Lee, and asked him if he remembered seeing him. [redacted] looked at the pictures and said that he was sure V-Lee [redacted] on the night in question.

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11/18/85

I phoned [redacted]

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[REDACTED]
[REDACTED] I told her that I was investigating the Lee suicide, and that I called her to get some background information on people who commit suicide and the manner in which their families handle the resulting grief.

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[REDACTED] told me that she has found through experience that families would rather believe anything other than suicide. There is always a lot of denial and guilt associated with suicides. I asked her about the fact that the family keeps repeating that V-Lee was extremely happy and had everything to live for. She said that the happiness is sometimes not real, especially if the person is acting happy all the time. [REDACTED] went on to say that she has heard over and over again that a victim of suicide had never been happier in their life, and that their life was finally coming together just prior to the suicide. Since the victim was getting ready to start a new job in a different country, [REDACTED] feels that perhaps he was afraid to fail. This, coupled with the fact that he might have felt alone in Concord and that no one would come and get him, may have all contributed to his deep depression. She did say that this is all conjecture, and that no one will really ever know what V-Lee was feeling. I asked [REDACTED] about the suicide note and [REDACTED] theory on why he left off the letter Ys on the names. She said that with someone in that state of mind, anything is possible. If someone is going to commit suicide, they obviously aren't thinking rationally.

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[REDACTED] also told me that the fact that V-Lee was a homosexual, as well as his age, put him into a high-risk suicide category. She said that most of the suicides committed in Contra Costa County are committed by males between the ages of 21 and 29. She also said there is a high rate of suicide among homosexuals.

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[REDACTED] said she would be willing to talk to the Lee family, and offer their grief counselling services to them.

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11/19/85 1330

[REDACTED] came to CPD at my request. We sat in an interview room where I taped the interview, a synopsis of which follows: I told [REDACTED] that I wanted to go over our telephone conversation of a few days ago. [REDACTED] said again, that he felt that the only way someone could have hanged V Lee from the tree was to render him unconscious with some type of drug. I told him that the toxicology report had come back, and there were no drugs in V Lee's system. [REDACTED] then said that he was satisfied that V Lee did kill himself. I then asked [REDACTED] I told him I had tried to locate [REDACTED] with no luck. [REDACTED] said the name was not [REDACTED]

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[REDACTED] was not home on the night of the incident. V Lee may have gone to [REDACTED] residence, but no one was home on the night he committed suicide. [REDACTED] went on to say that [REDACTED] and V Lee [REDACTED]

[REDACTED]

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[REDACTED]

I asked [REDACTED] to go over his feelings about the suicide note again. He asked to see the note. I told him that we had a photo of the note, and showed him the photo. [REDACTED] looked at the photo, and said that it was definitely V Lee's handwriting. He said it looked scribbled because there was probably nothing hard to write on. [REDACTED] then went on to explain that he felt that V Lee was telling his sister and brother there were no "whys". He said that he had nothing to base this on, other than his feelings and what he knew of V Lee.

I asked about the relationship [REDACTED]. He said they were close, but didn't see a lot of each other toward the end. When V Lee spoke of his [REDACTED] it was always in affectionate terms.

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I asked [REDACTED] if V Lee's family had any difficulty accepting V Lee's homosexuality. He said, as far as he knew, they didn't. V Lee was also very close to [REDACTED]

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I then told [REDACTED] that I wanted to clear up the issue about the party. I showed him the 11/10/85 Contra Costa Times news clipping. He read the clipping, and said the article was a little ambiguous. He said the reporter talked to him on the day of the party. [REDACTED]

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[REDACTED]

[REDACTED] then asked to see the photos taken of the scene. I told him that the photos were very graphic. I then showed him a photo of the strap V Lee had used to hand himself with. I asked if the strap looked like something V Lee owned. He said he hadn't had much contact with V Lee for a few weeks prior to the suicide, but the strap looked like something he could have picked up anywhere. I then showed him other photos of the scene. As he looked at the photos, I asked [REDACTED]

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[REDACTED]

I asked [REDACTED] if he knew if the family had another autopsy performed on V Lee's body. He said they couldn't because they allowed V Lee's body to be embalmed.

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I asked [REDACTED] how the family was feeling. He said V Lee's [REDACTED]

[REDACTED]

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asked if that would have any bearing on the case. I told him I didn't think it did. I then told him to relate to the family, that if they wanted to come to CPD, I would be happy to sit with them and go over the case. I would show them our reports and the photos if they wanted to see them. I told [REDACTED] that he should caution them that the photos are extremely graphic, however. I told him we have told this to the family all along, but no one but other than V Lee's father and uncle had come to CPD to talk to us. I told him that V Lee's father and uncle appeared satisfied that it was a suicide.

I asked [REDACTED] if he knew of any major problem that V Lee was having. The only problem he knew of was that V Lee was being harassed by some people as he walked from the BART station in San Francisco to where he worked. [REDACTED] thought that it was a bad part of town, and knew nothing else of the incidents. He went on to say that he didn't think it was major problem that drove V Lee to kill himself, but rather a culmination of several things. He felt that all the little problems, added to the fact that he found himself alone in Concord, could have added to his depression.

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I asked [REDACTED] about V Lee's upcoming trip to Italy. He said that V Lee was excited, but he also sensed that he was scared about leaving the country. I asked what he meant, and he said that V Lee was scared about the fact that he was leaving home and going to another country.

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After looking at all the photos of the suicide scene, [REDACTED] said that there was no doubt in his mind that the V committed suicide. He also said that it was obvious there was no cover up.

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11/22/85

I spoke to [REDACTED] CC County Coroners Office. He told me he had spoken to a [REDACTED] where V Lee was living. She told him that she was not surprised at all that V Lee committed suicide. He gave me the phone number where she could be reached. I called the number several times, with negative results. I also spoke

[REDACTED]

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and I asked if she remembered awakening anyone answering V Lee's description on that night. She said she did not as it is a common occurrence to have to awaken individuals on that train. I asked if she remembered any individuals who appeared drunk or despondent on the train that night. She said most of the people she wakes up are

drunk or despondent.

11/25/85

[redacted] gave me the suicide note and other examples of V Lee's handwriting which he had gotten from DOJ. I returned these items to evidence.

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Case closed.

Reporting Officer: [redacted] ID#: [redacted] App By
Date/Time Written: 112785 / 1245 Date/time typed 112785/ 2130 MH/CL.

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CONCORD POLICE DEPT
Offense Report

supp X 03

Cr 85-22679

Class : CORONER'S CASE.....
Rept date : 110285 rept time : 1236
Occur date : to occur time: to
Location occ : MT. DIABLO ST. AND LAGUNA ST.
Routing :

PERSONS -----

A-arrestee S-suspect W-witness V-victim O-owner
C-complainant J-subject K-c/v B-business victim

Invl : V
Name : LEE,TIMOTHY CHARLES..... phone H: typ : H
Addr : B:
City : st: CA D1#: st: CA
Dob : r: . s: . ht: ... wt: ... hr: ... ey: ... ss#:
: SEE ORIGINAL REPORT.....
:

REPORT NARRATIVE -----

11/27/85 1430 HRS

I phoned [redacted] He was mentioned in an Oakland Tribune news- b6
paper article on 11/08/85 as an authority on suicide. I asked him what b7C
his credentials were. He said that he was [redacted]
[redacted]

I asked him what he knew about the Timothy Lee suicide case. He said b6
he only knew what he read in the newspapers. He said that [redacted] b7C
[redacted] at the Oakland Tribune had talked to him about the case.
I asked him what he felt about V-Lee's profile in regards to suicide.
He said he really couldn't give an opinion unless he talked to friends
and family of V-Lee.

He then asked me if V-Lee had ever attempted suicide before. I told
him that as far as we knew, he had not. I told him that I had talked to
V-Lee's [redacted] and, after showing him the photos taken of the scene b6
he was convinced that it was a suicide. [redacted] asked if there was b7C
anything to suggest a homicide. I said that there was not. He said
that we may never know why V-Lee committed suicide. He said that one
cannot get into somebody's head, so the answer may never be known.
[redacted] again said that he just did not know enough about V-Lee to
give an opinion. I thanked [redacted] for his cooperation and the
interview was terminated.

[redacted] 11/17/85 1550 [redacted] md/11-28-85/1040 b6
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PAGE 1 OF 2
 CONCORD POLICE DEPARTMENT
 OFFENSE REPORT
 CR # 85-22679

CLASSIFICATION: *Caroner's Case*
 DATE AND TIME REPORTED: *11/2/85 1236*
 OCCURRED: DATES, TIMES, LOCATION OCCURRED: *CPD*
 ROUTING: () Det. Bur. () Juv. Bur. () Traf. Bur. () Sp. Inves. () Other/Agency:

BURGLARY & THEFT FROM AUTO - M.O. FACTORS

LOCKED () Yes () No () Unknown
 FORCED ENTRY () Yes () No () Unknown
 RANSACKED () Yes () No () Unknown
 SELECTIVE TAKE () Yes () No () Unknown
 TAKE EASILY REMOVED () Yes () No () Unknown
 LONE SUSPECT () Yes () No () Unknown
 DAY () Yes () No () Unknown
 SINGLE DWELLING () Yes () No () Unknown
 MULTIPLE DWELLING () Yes () No () Unknown
 UNIQUE FACTOR INVOLVED (SPECIFY):
 OTHER:

INVOLVEMENT CODES: A - Arrestee S - Suspect K - C/V V - Victim C - Complainant J - Subject W - Witness B - Business Victim O - Owner

INVOLVMT CODE: V
 LAST NAME: *Lee* FIRST: *Timothy* MIDDLE: *Charles*
 HOME PHONE: _____ BUS. PHONE: _____
 ADDRESS: *See original* CITY: _____ STATE: _____ SOCIAL SECURITY NO.: _____
 OLN/ID NO.: _____ STATE: _____ DOB: _____ RACE: _____ SEX: _____ HEIGHT: _____ WEIGHT: _____ HAIR: _____ EYES: *b6 b7c*

ADDITIONAL INFO.

INVOLVMT CODE: _____ LAST NAME: _____ FIRST: _____ MIDDLE: _____ HOME PHONE: _____ BUS. PHONE: _____
 ADDRESS: _____ CITY: _____ STATE: _____ SOCIAL SECURITY NO.: _____
 OLN/ID NO.: _____ STATE: _____ DOB: _____ RACE: _____ SEX: _____ HEIGHT: _____ WEIGHT: _____ HAIR: _____ EYES: _____

ADDITIONAL INFO.

INVOLVMT CODE: _____ LAST NAME: _____ FIRST: _____ MIDDLE: _____ HOME PHONE: _____ BUS. PHONE: _____
 ADDRESS: _____ CITY: _____ STATE: _____ SOCIAL SECURITY NO.: _____
 OLN/ID NO.: _____ STATE: _____ DOB: _____ RACE: _____ SEX: _____ HEIGHT: _____ WEIGHT: _____ HAIR: _____ EYES: _____

ADDITIONAL INFO.

INVOLVMT CODE: _____ LAST NAME: _____ FIRST: _____ MIDDLE: _____ HOME PHONE: _____ BUS. PHONE: _____
 ADDRESS: _____ CITY: _____ STATE: _____ SOCIAL SECURITY NO.: _____
 OLN/ID NO.: _____ STATE: _____ DOB: _____ RACE: _____ SEX: _____ HEIGHT: _____ WEIGHT: _____ HAIR: _____ EYES: _____

ADDITIONAL INFO.

INVOLVMT CODE: _____ LAST NAME: _____ FIRST: _____ MIDDLE: _____ HOME PHONE: _____ BUS. PHONE: _____
 ADDRESS: _____ CITY: _____ STATE: _____ SOCIAL SECURITY NO.: _____
 OLN/ID NO.: _____ STATE: _____ DOB: _____ RACE: _____ SEX: _____ HEIGHT: _____ WEIGHT: _____ HAIR: _____ EYES: _____

ADDITIONAL INFO.

VEHICLE INVOLVEMENT CODE: A - Arrestee S - Suspect R - Recovered N - Stored P - Parked at Scene
 V - Victim X - Stolen I - Impounded O - Released to Owner Z - Repossession
 VEH INVLT CODE, LIC, LIS, VYR, VMA, VMO, VST, VCO, ADDITIONAL INFO.

STOLEN VEH INFO: VIN #, REG. OWNER, ADDRESS, VALUE \$, UNIQUE FEATURES

OFFENSE REPORT

85-22279

EVIDENCE

()None ()Photos ()Trace Evidence ()Standards

CSI ()Yes ()No Name _____

()Prints ()Diagram ()Impressions ()Other _____

PROPERTY CODES	INVOLVEMENT CODES:		CATEGORY CODES:			DISPO CODES:		STOLEN
	E - Evidence	K - Safekeeping	A - Automotive	B - Bicycle	C - Camera	P - Prop Room		\$
	S - Stolen	F - Found	E - Equipment/Tools	H - Household Appliances	M - Musical Instruments	R - Ret. Owner		RECOVERED
	R - Recovered	L - Lost	O - Office Equipment	P - Personal Accessories	R - Radio/Sound Devices	O - Other		\$
	O - Safety of Others	S - Sports Equipment	T - TV	V - Viewing Equipment				
		Y - Other	D - Dollars/Money	K - Credit Cards				

USE ADDITIONAL LINES AFTER EACH ITEM FOR ANY ADDITIONAL DESCRIPTION/INFORMATION

- Additional bicycle information must minimally include: Boys/Girls, Color(s), Wheel Size, No. of Speeds, Locked/Unlocked, City License No.

#	INVOLV CODE	CAT CODE	ARTICLE	BRAND	MODEL	SERIAL #	VALUE	DISPO CODE
---	-------------	----------	---------	-------	-------	----------	-------	------------

1/7/86

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I phoned [redacted] & requested that she check V-lee's records to verify that he was, in fact, a student at the Academy of Art College.

She advised me that V-lee was enrolled for the Fall 1985 semester. She also told me that there was no indication in V-lee's records that he was the recipient of any scholarships.

Case Closed

REPORTING OFFICER	DATE AND TIME REPORT WRITTEN	SUPERVISOR APPROVING	TYPIST	DATE AND TIME REPORT TYPE
	1/8/86 1300			

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CONCORD POLICE DEPARTMENT
Offense Report

Orig . Supp X 01 Typ .. Key Cr 85-22679.
Class : CORONERS CASE.....
Rept date : 110285 time 1236
Occur date : 010786 to time to
Location : CPD.....
Routing : DET BUR.....

PERSONS -----

A-arrestee S-suspect W-witness V-victim O-owner
C-complainant J-subject K- c/v B-business victim

Invl : V
Name : LEE, TIMOTHY CHARLES..... Phone H: typ : H
Addr : 1433 HEARST,XX..... B:
City : BERKELEY..... st: CA D1#: st: ..
Dob : r: . s: . ht: ... wt: ... hr: ... ey: ... ss#:
: SEE ORIGINAL REPORT.....
:

Invl :
Name :
Addr :
City :
Dob :
: DBA: SPECIAL AGENT - CROCKER NATL BANK.....
:

REPORT NARRATIVE:

1/06/85

[redacted] brought me a photocopy of a payroll check (front and rear) that had been made payable to V Timothy Lee. Along with the copy of the check was a letter from the NAACP indicating their belief that foul play may have been involved in V Lee's death because the check was bank stamped two days after his death.

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In order to develop any possible investigative leads, I wrote a search warrant for Lee's bank records.

At 1420 hours, Judge Cunningham viewed and signed the warrant.

At approximately 1530 hours, the warrant was served at Crocker Nat'l. Bank Investigations Office in Walnut Creek. Special Agent [redacted]

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advised that he would to research the account, and would hand over all requested documentation on 1/7/86.

1/7/86 1030

Agent [] brought me the certified copies of V Lee's bank account and the electronic transfer computer records that showed deposits and withdrawal activity.

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The statement showed that Lee's checking account had a deposit of \$197.49 at 1749 hours on 11/01/85, by means of the Crocker Automated Teller machine located at 2301 Market Street, San Francisco. There was a \$5 charge deducted by the bank for it's usual monthly service charge, leaving a balance of \$192.49. The Automated Teller maching printout also showed that \$20 was withdrawn from Lee's savings account at 1750 hours on 11/01/85. This was the last transaction on Lee's account. In order to perform these transactions, a secret access code number would have to be utilized. This number is normally known only to the account holder.

The above mentioned records were turned over to [] for inclusion with his investigation.

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Case closed.



01/07/86 1400

cl 01/07/85 1900

THE PEOPLE OF THE STATE OF CALIFORNIA, to any sheriff, policeman, or peace officer in the County of Contra Costa ; PROOF by affidavit having been made before me by

that there is probable cause to believe the property described herein may be found at the locations set forth and that such property is seizable under 1524 P.C. in that it:

- was stolen or embezzled;
- was used as the means of committing a felony;
- is possessed by a person with the intent to use it as a means of committing a public offense; OR is possessed by another to whom he may have delivered it for the purpose of concealing it or preventing its discovery;
- is evidence which tends to show a felony has been committed or a particular person has committed a felony;
- is evidence which tends to show sexual exploitation of a child, in violation of Penal Code 311.3, has occurred or is occurring;

YOU ARE THEREFORE COMMANDED TO SEARCH:

THE PREMISES located at and described as:

*Cracker NATIONAL BANK (INVESTIGATIONS)
1350 MONTAGE way Bldg #A 1ST floor
WALNUT CREEK, CALIFORNIA.*

including basements, attics, storage spaces, appurtenant buildings, the surrounding grounds, and all containers therein and thereon which could contain any of the items sought.

THE CONTAINER located at and described as:

THE VEHICLE(S) described as:

including the passenger compartment, storage areas such as trunk and glove box, and any containers within the vehicle(s) which could contain any of the items sought.

THE PERSON(S) of

for the following property:

① Records of All TRANSACTIONS TO
ACCT# 060563047 CROCKER NATIONAL BANK
SAN FRANCISCO. (ACCT. OF TIMOTHY LEE)

② All TRANSACTIONS TO ACCOUNT # 060563047
PERTAINING TO. ELECTRONIC TRANSFERS, CROCKER NATIONAL
BANK (ACCT OF TIMOTHY LEE)

and to seize it or any part thereof and retain such property in your custody subject to order of this court, pursuant to Penal Code Section 1536.

GOOD CAUSE HAVING BEEN SHOWN by Affidavit, you may do the following which bears my initials:

_____ You may serve this warrant at any time of the day or night, under Penal Code Section 1533.

GIVEN under my hand and dated

this _____ day of _____, 19 _____

at _____ a.m.

at _____ p.m.

Magistrate

Judge of the Superior/Municipal Court, _____ Judicial District.

COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA

AFFIDAVIT FOR SEARCH WARRANT

No. _____

On the basis of his personal knowledge and on the basis of other information contained in the attachments hereto,

being duly sworn, deposes and says that the property described hereinafter falls within the grounds indicated below in that it:

was stolen or embezzled;

was used as the means of committing a felony;

is possessed by a person with the intent to use it as a means of committing a public offense; OR is possessed by another to whom he may have delivered it for the purpose of concealing it or preventing its discovery;

is evidence which tends to show a felony has been committed or a particular person has committed a felony;

is evidence which tends to show sexual exploitation of a child, in violation of Penal Code 311.3, has occurred or is occurring;

and requests the issuance of a warrant to search:

THE PREMISES located at and described as:

*Crocker NATIONAL BANK (INVESTMENTS)
1350 MONTGOMERY WAY, SUITE #A 11ST FLOOR
CONCORD, CALIFORNIA*

including basements, attics, storage spaces, appurtenant buildings, the surrounding grounds, and all containers therein and thereon which could contain any of the items sought.

THE CONTAINER located at and described as:

THE VEHICLE(S) described as:

including the passenger compartment, storage areas such as trunk and glove box, and any containers within the vehicle(s) which could contain any of the items sought.

THE PERSON(S) of

for the following property:

① Records of All TRANSACTIONS TO
Acct# 060563047 (CROCKER NATIONAL BANK
SAN FRANCISCO. (Acct. of Timothy Lee)

② All TRANSACTIONS TO ACCOUNT # 060563047
PERTAINING TO Electronic TRANSFERS, (CROCKER NATIONAL
BANK (Acct of Timothy Lee)

The following attachments indicated below are incorporated into this Affidavit by reference as though set forth here word-for-word: probable cause contained in:

Narrative statement of probable cause:

The following official police reports and records; and documents, exhibits and photographs:

Statement of expertise (and opinion):

Affiant has reasonable cause to believe that grounds for the issuance of a search warrant exist based on this affidavit and the above attachments, and prays that a search warrant be issued.

Affiant(s)

Subscribed and sworn to before me

_____ on this _____ day of _____, 19____.
Magistrate

Judge of the Superior/Municipal Court, _____ Judicial District.

STATEMENT OF PROBABLE CAUSE

ON 11/2/85, OFFICERS OF THE CONCORD POLICE DEPARTMENT WERE CALLED TO THE SCENE OF A HANGING DEATH AT MT. DIABLO ST NEAR LAGUNA.

AS A RESULT OF THAT INVESTIGATION (CR# 85-22679) IT WAS DETERMINED THAT THE VICTIM, TIMOTHY LEE, HAD TAKEN HIS OWN LIFE.

ON 12/30/85 THE CONCORD POLICE DEPT. RECEIVED A COPY OF A LETTER FROM THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE.

THIS LETTER WAS DIRECTED TO THE DIRECTOR OF THE F.B.I. REQUESTING INVESTIGATION INTO LEE'S DEATH. THE LETTER ENUMERATES THE REASONS AS 1 THRU 4.

ITEM #3 LISTS THAT A PAYROLL CHECK PROCESSED ON 11/4/85 WAS CASHED WITH NO ENDORSEMENT. THIS WOULD BE TWO DAYS AFTER LEE'S DEATH.

POSEY AND OTHER OFFICERS OF THE CONCORD POLICE DEPT. WERE AWARE OF THIS CHECK OR THE FACT THAT IT HAD BEEN CASHED/PROCESSED TWO DAYS AFTER THE DEATH.

ON FRIDAY 1/3/86 [REDACTED] OF THE CONCORD POLICE DEPT WAS AT A PRESS CONFERENCE REGARDING THE LEE MATTER. A MEMBER OF THE PRESS GAVE [REDACTED] A PHOTO COPY OF LEE'S PAYROLL CHECK, FRONT AND REAR.

- 2 -

THE payroll check was drawn upon the account of his employer, "Judith Kindler, Judith Kindler Textiles - San Francisco", check # 3165 dated 10/31/85. The check amount was \$197⁴⁹/₁₀₀.

THE rear of the check showed a bank stamp from Crocker NATIONAL BANK - SAN FRANCISCO, dated 11/04/85.

BASED ON THIS INFORMATION I CALLED Crocker BANK INVESTIGATIONS and told them that I wanted to determine if Timothy Lee had an account with them and to obtain records of transactions to show the exact dates, times, & amounts.

Crocker Bank told me that they could tell me if Lee had accounts with them and supply the account numbers. They advised, however, that any information contained within the account was confidential and could only be obtained through a permissive search by the account holder or by State WARRANT.

IT IS THIS OFFICER'S OPINION THAT Lee's payroll check was deposited by him into his own account by means of an automated teller machine sometime between 11-1-85 and 11-2-85. This is based on the fact that there is no endorsement on the check and no other intermediate cashiers (business).

Also I noted that the bank stamp is dated 11/04/85 which was a Monday.

From this officer's experience as a forgery investigator, I know that all automated deposits during a weekend could be bank stamped on the first regular business date. In this case, Monday, 11-04-85. It is also known

that the banks automated teller machines record the exact date and time and location that an entry is made by a person.

I feel that Crocker's Bank records will show by this information whether the deposits if any, were made before or after Lee's death.

The bank records will also reflect by amount if this payroll check was deposited into Lee's account or transferred elsewhere.

In the event any transferring of funds was made after Lee's death, it could very well develop further inquiry into the death.

Based upon the above information, I request the warrant be issued for the account information listed.



Concord Police Dept.

10. 12. 1986

Shirley

ONE MONTGOMERY ST 180
P. O. BOX 28001, KINCON ANNEX
SAN FRANCISCO, CA. 94128

CHECKING ACCOUNT # 080-000001

TIMOTHY CHARLES LEE
1432 HEARST STREET
BERKELEY CA

94702

080

CHECKING ACCOUNT SUMMARY AS OF 12-31-86

PAGE 02

BEGINNING BALANCE	TOTAL DEPOSITS	TOTAL WITHDRAWALS	SERVICE CHARGES	ENDING BALANCE

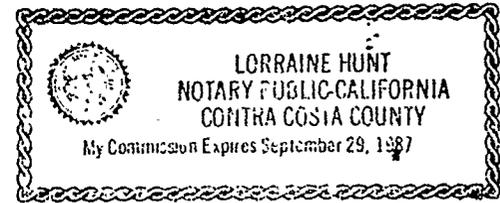
SAVINGS OVERDRAFT PROTECTION ACCOUNT SUMMARY (CONTINUED)

SAVINGS ACCOUNT # 080A-000002-71

OTHER INFORMATION REGARDING YOUR ACCOUNT

YEAR-TO-DATE INTEREST EARNED FOR 1986
TAX-PAYER IDENTIFICATION NUMBER: 647-11-8228

OPEN OR RENEW YOUR CHRISTMAS CLUB ACCOUNT NOW!
HAVE A SPECIAL 1986 HOLIDAY SEASON
PLAN AHEAD FOR 1986 WITH CHRISTMAS CLUB
SEE YOUR BRANCH FOR DETAILS



Lorraine Hunt 1-7-86

*** NCOC SAVINGS WITHDRAWALS ***

ACCOUNT NUMBER	BUSINESS DATE	ATM	TRAN DATE	TRAN TIME	TRAN AMOUNT	CBC NUMBER	CURRENT BALANCE	AVAILABLE BALANCE	ADVANCE AMOUNT
	11/04/85	0181	11/02/85	1447	20.00		1,423.94	1,329.86	
	11/04/85	1921	11/03/85	1910	20.00		.05	.05	
	11/04/85	0605	11/04/85	1719	40.00		60.00	60.00	
	11/04/85	0342	11/02/85	2307	30.00		21.91	21.91	
	11/04/85	0111	11/03/85	2314	20.00		11.91	11.91	
	11/04/85	0111	11/03/85	2313	10.00		31.91	31.91	
	11/04/85	0342	11/03/85	1237	100.00		3,245.84	3,245.84	
	11/04/85	0609	11/04/85	1419	20.00		331.82	331.82	
	11/04/85	0171	11/02/85	1106	100.00		6,284.60	6,284.60	
	11/04/85	0171	11/02/85	1107	4,600.00		1,684.60	1,684.60	
	11/04/85	1871	11/04/85	1727	168.72		2,500.00	2,168.00	
	11/04/85	1871	11/02/85	1534	50.00		2,357.72	2,357.72	
	11/04/85	1871	11/02/85	0833	20.00		1,024.57	1,024.57	
	11/04/85	0101	11/04/85	1345	60.00		176.03	176.03	
	11/04/85	0602	11/04/85	1515	20.00		66.00	66.00	
	11/04/85	2331	11/03/85	1019	50.00		4,602.64	4,602.64	
	11/04/85	2332	11/02/85	1459	50.00		4,652.64	4,652.64	
	11/04/85	0171	11/03/85	1050	40.00		885.83	885.83	
	11/04/85	0172	11/03/85	1901	60.00		825.83	825.83	
	11/04/85	1241	11/04/85	0858	600.00		5,932.58	5,932.58	
	11/04/85	1241	11/04/85	0857	200.00		5,732.58	5,732.58	
	11/04/85	0161	11/04/85	1219	200.00		253.02	253.02	
	11/04/85	1241	11/03/85	1141	150.00		1,317.45	1,317.45	
	11/04/85	1242	11/02/85	1823	350.00		1,134.56	1,134.56	
	11/04/85	0603	11/04/85	1201	250.00		830.73	830.73	
	11/04/85	1791	11/02/85	1221	30.00		229.12	229.12	
	11/04/85	1791	11/04/85	1426	20.00		25.23	25.23	
	11/04/85	0162	11/02/85	0010	20.00		417.29	417.29	
	11/04/85	0341	11/03/85	1239	40.00		510.10	510.10	
	11/04/85	1831	11/04/85	0813	300.00		1,374.08	702.63	
	11/04/85	1921	11/02/85	2039	50.00		3,318.50	3,318.50	
	11/04/85	1792	11/04/85	1233	200.00		1,568.95	1,568.95	
	11/04/85	0809	11/04/85	0746	500.00		10,594.29	7,888.73	
	11/04/85	0111	11/02/85	1746	100.00		233.65	233.65	
	11/04/85	2331	11/01/85	1750	20.00		75.18	75.18	
	11/04/85	0181	11/02/85	1140	40.00		82.00	82.00	
	11/04/85	0181	11/04/85	1310	78.00		25.00	25.00	
	11/04/85	1891	11/03/85	1835	250.00		1,183.48	1,183.48	
	11/04/85	0201	11/04/85	1721	100.00		115.97	115.97	
	11/04/85	1791	11/04/85	1048	20.00		1.18	1.18	
	11/04/85	2331	11/02/85	1453	30.00		1,102.94	1,102.94	
	11/04/85	2331	11/04/85	1247	150.00		197.59	197.59	
	11/04/85	0112	11/02/85	1208	20.00		11.44	11.44	
	11/04/85	0301	11/04/85	1236	20.00		430.99	430.99	
	11/04/85	0809	11/04/85	1217	20.00		6.62	6.62	
	11/04/85	0601	11/03/85	1600	120.00		295.86	20.49	
	11/04/85	0601	11/02/85	1609	200.00		415.86	140.49	
	11/04/85	1441	11/03/85	0812	30.00		1,453.23	1,453.23	

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 LORRAINE HUNT
 NOTARY PUBLIC-CALIFORNIA
 CONTRA COSTA COUNTY
 My Commission Expires September 29, 1987

A 05
Lorraine Hunt 1-7-86

CROCKER NATIONAL BANK
ATM POSTING ACTIVITY REPORT

*** NCOC DDA DEPOSITS ***

ACCOUNT NUMBER	BUSINESS DATE	ATM	TRAN DATE	TRAN TIME	TRAN AMOUNT	CBC NUMBER	CURRENT BALANCE	AVAILABLE BALANCE	B	HOWARD	F
	11/04/85	0171	11/03/85	1357	120.00		1,401.74	1,401.74			
	11/04/85	0609	11/04/85	1207	60.00		581.79	521.79			
	11/04/85	0192	11/02/85	1613	601.00		5,589.54	4,988.54			
	11/04/85	0609	11/04/85	1004	400.00		967.04	567.04			
	11/04/85	1452	11/04/85	1425	298.63		469.34	170.71			
	11/04/85	0601	11/04/85	0737	100.00		2,542.13	2,542.13			
	11/04/85	0111	11/03/85	2313	10.00		277.60	277.60			
	11/04/85	0604	11/04/85	1232	785.15		3,062.25	2,277.10			
	11/04/85	0604	11/04/85	1233	72.23		3,134.48	2,277.10			
	11/04/85	0609	11/04/85	1250	619.00		1,195.34	576.34			
	11/04/85	1112	11/02/85	1743	40.00		50.73	10.73			
	11/04/85	2231	11/02/85	1044	210.00		685.71	475.71			
	11/04/85	0609	11/04/85	1637	60.00		728.93	34.46			
	11/04/85	0601	11/01/85	1750	634.47		777.72	143.25			
	11/04/85	0603	11/04/85	1201	250.00		551.64	551.64			
	11/04/85	0604	11/04/85	1455	967.76		2,297.63	1,329.87			
	11/04/85	0609	11/04/85	1545	21.00		570.92	570.92			
	11/04/85	0111	11/02/85	0850	822.48		1,100.80	278.32			
	11/04/85	0605	11/04/85	1022	49.41		3,753.05	3,703.64			
	11/04/85	1181	11/03/85	0943	1,268.38		1,428.53	160.15			
	11/04/85	2331	11/04/85	1241	194.98		554.52	359.54			
	11/04/85	2331	11/01/85	1749	197.45		197.45	.00			
060563047	11/04/85	0161	11/04/85	1243	391.03		556.24	165.21			
	11/04/85	0601	11/04/85	1152	35.25		1,055.74	1,020.49			
	11/04/85	0609	11/04/85	1710	20.00		574.83	554.83			
	11/04/85	0111	11/03/85	1110	100.00		185.58	185.58			
	11/04/85	0609	11/04/85	1214	200.00		1,264.22	1,064.22			
	11/04/85	0602	11/04/85	1339	200.00		1,859.37	1,859.37			
	11/04/85	0601	11/02/85	1134	57.20		2,488.24	2,431.04			
	11/04/85	1371	11/02/85	1232	731.25		1,420.85	689.60			
	11/04/85	0181	11/04/85	1144	500.00		895.23	895.23			
	11/04/85	1521	11/03/85	1948	5,781.88		6,519.90	738.02			
	11/04/85	0342	11/01/85	1913	221.11		493.59	272.48			
	11/04/85	2332	11/02/85	1733	320.00		532.77	212.77			
	11/04/85	0609	11/04/85	0940	12.18		919.08	906.90			
	11/04/85	0602	11/04/85	1350	800.00		17,202.15	16,402.15			
	11/04/85	0609	11/04/85	1542	504.00		1,167.39	663.39			
	11/04/85	0341	11/04/85	1442	332.00		1,053.55	721.55			
	11/04/85	0602	11/04/85	1132	400.00		4,736.80	4,336.80			
	11/04/85	0608	11/04/85	1233	250.00		1,254.00	1,004.00			
	11/04/85	0605	11/02/85	1144	91.38		4,288.80	4,197.42			
	11/04/85	0641	11/01/85	1859	100.00		119.84	119.84			
	11/04/85	1891	11/02/85	1508	520.00		760.75	760.75			
	11/04/85	0642	11/03/85	0748	220.00		4,675.55	4,455.55			
	11/04/85	1902	11/02/85	0837	240.00		295.46	55.46			
	11/04/85	0601	11/04/85	0910	25.00		1,483.97	1,483.97			
	11/04/85	1761	11/01/85	2005	315.00		1,161.72	835.67			
	11/04/85	0391	11/03/85	1308	295.35		1,466.62	1,171.27			

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LORRAINE HUNT
NOTARY PUBLIC CALIFORNIA
CONTRA COSTA COUNTY
My Commission Expires September 29, 1987

296
1-17-87
Lorraine Hunt

STATE OF CALIFORNIA
FEDERAL RESERVE BANK

CROCKER NATIONAL BANK
ATM EXTRACT ACTIVITY REPORT

DATE: 01/01/85
PAGE: 10

ATM 331 (MAY)

TRAN DATE	TRAN SEQ	TRAN TIME	TRAN TYPE	TRAN STAT	TRAN AMOUNT	CREDIT ACCOUNT NUMBER	CREDIT TYPE	DEBIT ACCOUNT NUMBER	DEBIT TYPE	CBC NUMBER	BONUS BAL	ADVANCE AMOUNT	END DATE
11/01/85		1742	DEP		72.42		DDA						11/04/85
11/01/85		1743	W/D		80.00				DDA				11/04/85
11/01/85		1743	W/D		80.00				DDA				11/04/85
11/01/85		1744	W/D		200.00				DDA				11/04/85
11/01/85		1745	W/D		40.00				DDA				11/04/85
11/01/85		1746	W/D		250.00				DDA				11/04/85
11/01/85		1747	DEP		9.25		DDA						11/04/85
11/01/85		1748	W/D		30.00				DDA				11/04/85
11/01/85		1749	DEP		197.49	060563047	DDA			851240033945227			11/04/85
11/01/85		1750	W/D		20.00			060400372071	SAV	85140033945223			11/04/85
11/01/85		1757	DEP		324.46		SAV						
11/01/85		1758	W/D		250.00				SAV				
11/01/85		1801	DEP		904.17		MMI						
11/01/85		1802	TRF		30.00		MMT		SAV				
11/01/85		1802	DEP C/B		283.80		SAV						
11/01/85		1802	W/D C/B		60.00				SAV				425
11/01/85		1804	DEP C/B		136.00		SAV						11/04/85
11/01/85		1804	W/D C/B		80.00				SAV				11/04/85
11/01/85		1805	DEP C/B		431.17		DDA						11/04/85
11/01/85		1805	W/D C/B		40.00				DDA				11/04/85
11/01/85		1807	DEP		13.88		DDA						11/04/85
11/01/85		1808	W/D		60.00				DDA				11/04/85
11/01/85		1810	W/D		40.00				DDA				11/04/85
11/01/85		1810	DEP		1,844.63		DIA						11/04/85
11/01/85		1811	W/D		100.00				DDA				11/04/85
11/01/85		1819	DEP C/B		500.00		DDA						11/04/85
11/01/85		1819	W/D C/B		60.00				DDA				11/04/85
11/01/85		1821	W/D		40.00				DDA				11/04/85
11/01/85		1827	DEP		331.67		DDA						11/04/85
11/01/85		1828	W/D		120.00				DDA				11/04/85
11/01/85		1829	DEP		535.99		DDA						11/04/85
11/01/85		1830	W/D		40.00				DDA				11/04/85
11/01/85		1831	W/D		200.00				SAV				11/04/85
11/01/85		1833	W/D		20.00				DDA				11/04/85
11/01/85		1833	W/D		80.00				DDA				11/04/85
11/01/85		1834	DEP		210.00		MMI						11/04/85
11/01/85		1835	W/D		20.00				MMI				11/04/85
11/01/85		1836	W/D		30.00				MMI				11/04/85
11/01/85		1836	DEP		2,735.00		DDA						11/04/85
11/01/85		1837	DEP		145.00		DDA						11/04/85
11/01/85		1841	DEP		397.55		DDA						11/04/85
11/01/85		1842	DEP		900.00		DDA						11/04/85
11/01/85		1844	W/D		50.00				DDA				11/04/85
11/01/85		1845	W/D		50.00				DDA				11/04/85
11/01/85		1846	DEP		72.00		DDA						11/04/85
11/01/85		1847	DEP		5.00		DDA						11/04/85
11/01/85		1847	W/D		40.00				DDA				11/04/85
11/01/85		1848	DEP C/B		1,027.83		DDA						11/04/85
11/01/85		1848	W/D C/B		30.00				DDA				11/04/85

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LOS ANGELES
CENTRAL CREDIT UNION
1000 S. GATEWAY BLVD
LOS ANGELES, CA 90015

LOS ANGELES
CENTRAL CREDIT UNION
1000 S. GATEWAY BLVD
LOS ANGELES, CA 90015

Louise Hunt 1-7-86

Check Statement

ONE MONTGOMERY AT 150
P.O. BOX 52001 - FIN. CO. ANNEX
SAN FRANCISCO, CA. 94138

CHECKING ACCOUNT # 068-032847

TIMOTHY CHARLES LEE
1423 NEARST STREET
BERKELEY CA 94702

060

CHECKING ACCOUNT SUMMARY AS OF 11-25-85

BEGINNING BALANCE	TOTAL DEPOSITS	TOTAL WITHDRAWALS	SERVICE CHARGES	ENDING BALANCE
57.20	255.20	188.00	.20	122.20

CHECKING ACCOUNT TRANSACTIONS

DEPOSITS	DATE	AMOUNT
TRANSFER FROM SAVINGS ACCOUNT	10-28	57.20
AUTOMATED TELLER DEPOSIT LOC. 2551 MARKET & NOE 2301 MARKET STREET SAN FRANCISCO	11-04	197.40
WITHDRAWALS		
AUTOMATED TELLER WITHDRAWAL LOC. 0112 18TH-MISSION 2027 SIXTEENTH STREET SAN FRANCISCO	10-28	20.00
MONTHLY FEE FOR LIGHTHOUSE ACCOUNT	11-20	0.00
CHECKS		
ITEM DATE AMOUNT	ITEM DATE AMOUNT	
0647 10-30 75.00		
BALANCES		
	10-28	57.20
	11-04	197.40
	11-20	192.20

57- MINIMUM COLLECTED BALANCE & WITHDRAWALS 154 AVERAGE COLLECTED BALANCE

SAVINGS ACCOUNT TRANSACTIONS

SAVINGS OVERDRAFT PROTECTION ACCOUNT SUMMARY AS OF 11-25-85 SAVINGS ACCOUNT # 0684-02720-74

BEGINNING BALANCE	TOTAL DEPOSITS	INTEREST	TOTAL WITHDRAWALS	SERVICE CHARGES	ENDING BALANCE
182.75	.00	.25	177.50	.00	75.50

DEPOSITS	DATE	AMOUNT
INTEREST PAYMENT	10-21	.25
WITHDRAWALS		
TRANSFER TO CHECKING ACCOUNT	10-28	57.00
AUTOMATED TELLER WITHDRAWAL LOC. 0112 18TH-MISSION 2027 SIXTEENTH STREET SAN FRANCISCO	10-21	20.00
AUTOMATED TELLER WITHDRAWAL LOC. 2551 MARKET & NOE 2301 MARKET STREET SAN FRANCISCO	11-04	20.00
AUTOMATED TELLER WITHDRAWAL LOC. 2551 MARKET & NOE 2301 MARKET STREET SAN FRANCISCO	11-20	20.00

LORRAINE HUNT
NOTARY PUBLIC - CALIFORNIA
COMM. NO. 10527
My Commission Expires September 28, 1987

Lorraine Hunt
1-7-86

SEARCHED _____ INDEXED _____
SERIALIZED *RM* FILED *RM*

MAY 11 1966



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44A-2373-109

CONTRA COSTA COUNTY
OFFICE OF SHERIFF - CORONER

CORONERS REPORT

Arr. 1300hr.

CASE NUMBER - 85-1073

CLASSIFICATION Suicide		REASON FOR BEING CORONER CASE Hanging			DATE & TIME REPORTED: 11-2-85 1242hr.					
NAME OF DECEASED - FIRST NAME Timothy		MIDDLE NAME Charles	LAST NAME: Lee		DATE & HOUR OF DEATH: 11-2-85 1240hr. found					
AKA	SEX M	RACE Blk/Indian	HT. 71	WT. 142	HAIR Blk	EYES Brn	DOB 1-18-62	AGE 23	UNDER 1 YEAR MOS. DAYS	
SOCIAL SECURITY NUMBER 527-11-8256 547-11-8256		BIRTHPLACE (STATE): CA		CITIZEN USA	OTHER I.D. (DRIVERS LICENSE NUMBER - ETC.) Calif. D.L.# C3112253					

LAST OCCUPATION Textile Designer		LAST EMPLOYER (NAME-ADDRESS, TELEPHONE): Judith Kindler Designs								
USUAL RESIDENCE (CITY-COUNTY-STATE): 2419 Milvia St., Berkeley, Alameda Co., Calif. 549-3293								CITY LIMITS? Yes		
PLACE OF DEATH (NAME HOSPITAL OR INSTITUTION & ADDRESS - IF OTHER LOCATION GIVE ADDRESS): Vacant Field across from 1416 Mt. Diablo St., Concord						CORONERS SEAL YES ___ NO <input checked="" type="checkbox"/> LOC. _____		CITY LIMITS? Yes		

PERSON WHO DISCOVERED DECEASED (NAME, ADDRESS, CITY, COUNTY, STATE - BUSINESS & RESIDENCE TELEPHONE):
 Concord P.D.

PERSON REPORTING DEATH (NAME, ADDRESS, CITY, COUNTY, STATE - BUSINESS & RESIDENCE TELEPHONE):
Concord P.D. Dispatch

OTHER INVESTIGATIVE AGENCY (NAME): Concord P.D.		ASSIGNED OFFICERS & NUMBERS: <input type="text"/>		CASE FILE NUMBER: 85-22679	
---	--	--	--	--------------------------------------	--

DECEASED IDENTIFIED BY (NAME - ADDRESS): <input type="text"/>		RELATIONSHIP: <input type="text"/>	LOCATION - DATE - TIME: County Morgue 11-3-85 1230 Hrs.		
--	--	---------------------------------------	---	--	--

NEXT OF KIN		NAME, ADDRESS & TELEPHONE OF NEXT OF KIN IN ORDER OF SURVIVAL: <input type="text"/>		RELATION TO DECEASED: <input type="text"/>	
NAME OF PERSON MAKING NOTIFICATION <input type="text"/>		AGENCY Friend		HOW? Phone	DATE & TIME: 11-2-85 2015hr.

INJURY		PLACE OF INJURY (ADDRESS OR DESCRIBE LOCATION) POD		MAP LOC. 47E-3	DISTANCE FROM RES. 22miles	DATE-TIME OF INJURY 11-2-85 about 0800hr.		AT WORK No
INEQ	TYPE OF STRUCTURE RESIDENTIAL ___ NON RESIDENTIAL <input checked="" type="checkbox"/>	ROOM: Open Field		HOW INJURY OCCURRED: Self Induced Hanging				

MEDICAL HISTORY		REGULAR PHYSICIAN (NAME-ADDRESS-TELEPHONE): n/a		DATE LAST VISIT: n/a		NATURE OF ILLNESS: n/a	
TREATMENT & MEDICATION n/a							

BODY REMOVED TO: Central Morgue		REQUESTED BY/ORDERED BY: <input type="text"/>		RELATIONSHIP: Coroner	
---	--	--	--	---------------------------------	--

VEHICLE (MAKE-MODEL-YEAR-LICENSE NUMBER) n/a		TOWED TO n/a	PHONE	ORDERED BY: n/a	
--	--	------------------------	-------	---------------------------	--

VEHICLE REGISTERED TO: **n/a**

SYNOPSIS: **D was hanging from a tree and was seen by a neighbor who called police.**

CLOTHING INVENTORY BY: <input type="text"/>		DATE 11-2-85	Blu tank top, blu & white stripe undershorts, jeans, red socks		
RECEIVED BY: <input type="text"/>		DATE	Brn-rn shoes, Black jacket		

b6
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CONTRA COSTA COUNTY
OFFICE OF SHERIFF-CORONER

SUPPLEMENTAL OR CONTINUATION REPORT

CLASSIFICATION Suicide	Date of Original Report 11-2-85	Case File # 85-1073
Name of Deceased Lee, Timothy	Place of Death Concord	Date of Supplement 11-2-85

Witnesses: (Name, address, residence and business telephone)

- 1.
- 2.
- 3.
- 4.
- 5.

I received a call from Concord P.D. dispatch of a suicide at the POD. Upon my arrival I met with [redacted] who said that he was the first on the scene and found the D hanging from the tree without life signs. The D was cold and stiff. He said the D's wallet was found near a chain link fence away from where the D was found and that the scene was going to be processed as a suspicious, possible homicide and that the detectives were being called out.

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I checked out the D and observed him hanging by the neck from an upper tree limb of a large fig tree. It appeared that the instrument used was a black webbed belt or strap that was tied around this upper limb. The D's feet were about 2-3 feet above the ground. The D was fully clothed and there was a black jacket draped over the same limb near the trunk.

I checked the D for signs of outside trauma. None noted aside from a superficial scrape on the rear of his right arm that appeared to have been caused by scraping against the tree limb. The D was in full rigor. Livor was well set in the lower extremities with minimal blanching. Both were consistent with the D's position. Intermediate Post Mortem Interval.

I took 3 photos and left the area to await the removal call.

1530hr. I returned for the removal. The detectives decided to handle the case as a suicide and all property was turned over to me. The D had a suicide type note that had been written on the back of an envelope. It was to his [redacted] saying I love you, sorry Tim.

b6
b7C

Detective Division

Patrol Division

District Attorney

Investigating Officer/s

Date

Supervisor Approving

Date

1-of-2 pages

CONTRA COSTA COUNTY
OFFICE OF SHERIFF-CORONER

SUPPLEMENTAL OR CONTINUATION REPORT

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- 1.
- 2.
- 3.
- 4.
- 5.

Removal made by me. D tagged and I.D. photo taken along with prints at the morgue.

I checked through the D's personal effects for NOK information. The D had two addresses out of Berkley.

1745hr. I contacted Berkeley P.D. with a request to have them contact anyone at the D's listed residence on [redacted]

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1830hr. I received a call from [redacted] He said that he was a friend of the D. The D's mother is deceased. The father is living out of state and [redacted] said that the D had never made any statements about taking his life. The D seemed to have things going for him.

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[redacted] said the D had called a [redacted] about midnight saying that he was calling from Concord. The D said that he had falled asleep aboard the Bart train and wound up in Concord. The D said that he had no money and was stranded and wanted someone to come pick him up. No one was able to get a car and drive out to pick up the D.

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2030hr. I received a call from the D's father who said that he wanted [redacted] to handle the FDOC. The NOK will send a telegram authorizing [redacted] The NOK will be flying out as soon as he can.

b6
b7C

[redacted]

Detective Division

Patrol Division

District Attorney

Investigating Officer/s _____

Date _____

Supervisor Approving _____

Date _____

2-of-2 pages

SEARCHED _____ INDEXED _____
SERIALIZED AM FILED _____

MAY 15 1966

[REDACTED] SCO

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44A-2373-110

MAY 16, 1983

\$1.75

TIME

COVERT ACTION
The Debate
Over Limits

FORGERY

Hitler's Diaries
Join the Long List of
Famous Frauds



*****CAR-RT-SORT**CR41
NOV84 SLV 58129R95T 59 02 11

b6
b7c

all they need to see. Ink made of ground carbon was used until 1020; it does not affect the color of the paper as it ages. But iron-gall ink, widely used until about 1860, is acidic and with time tends to tint and wear through the paper. Aniline ink followed; it disappears when the paper on which it is used is dunked in water. That is not a test many analysts try, since their document, real or fake, might vanish.

Benjamin recalls one collector of rare autographs who verified, wholly by accident, that his priceless document containing the signatures of all 56 signers of the Declaration of Independence was genuine. A hurricane had caused the paper to be submerged in water for five days. When he retrieved it, the owner found to his relief that all the signatures remained clear and bright. They had been written with iron-gall ink on rag paper.

The type of pen wielded by a forger can be a giveaway. The quaint quill was used exclusively until 1780, when its successor, the steel pen, came into existence. The difference in writing between the two can be seen under a microscope. Fiber-tipped pens were not used extensively in the U.S. until 1964. Any forger using a pen not common in the period his document purports to derive from risks quick discovery. The modern proliferation of pens, particularly ballpoints, complicates the task of current document analysts, but can provide fresh clues. A ballpoint requires the writer to exert more pressure; the force with which individuals habitually attack their writing is often distinctive.

Researchers at West Germany's Mannheim University have applied modern technology to detect minute variations in pressure applied to paper by writers. They are developing an electric grid microscope to measure precisely the indentations made by a pen. A more sophisticated device called a Verisign was developed by the same team. A pen attached to a computer retraces a writing sample; the computer analyzes 16 separate writing tendencies, such as the pace, spacing and crossbars in key letters. In one recent test, 5,000 forged signatures were fed to the machine, which compared them with authentic ones. In only a single instance did a fake go undetected.

The prevalence of typewriters has complicated the forgery detective's task. "When I first started out in this business, I had most of the information about typewriters in my head," recalls James Conway, a retired U.S. Postal Service examiner in private practice in Alameda, Calif. "There were only five or six major typewriter manufacturers." Now there are more than a dozen. The widespread use of photocopiers gives the forger easy access to the handwriting of individuals or to documents he wishes to imitate.

Another new headache for the experts: government officials, executives and various celebrities who permit their names to be signed to routine papers by secretaries. In older times, secretaries usually at-



CARL ATKINS

Expert Hamilton: finding the script too steady and smooth to be credible



ORR

Historian Maser: jumping to a quick and accurate verdict



BOB SCLIBA

Expert Rendell: predicting an imminent new "twist" in the story

tached their initials to such signatures. They rarely do that now, and often can imitate their employers' writing so well that even the bosses cannot tell except by remembering whether they signed a document. John Kennedy was the first President to let a secretary sign his routine papers. He also introduced the Autopen, a writing robot that can reproduce a signature several thousand times a day. Autograph Analyst Benjamin had to disillusion an ex-serviceman whose letter from J.F.K. to his parents would have been worth \$1,000 if signed by the President. She found that a secretary had provided the signature, rendering the paper worthless.

Who is gaining in the ceaseless war between forger and detective? Most document analysts contend that modern techniques, plus the accumulated expertise of so many specialists, make the forgery of an extensive literary work or a historical document like the *Stern* diaries much more difficult to carry out successfully. They doubt that any such hoax has gone undiscovered—although if it has, of course, they would not be aware of it.

It is in the more mundane, but often lucrative, field of forged checks, false signatures on credit cards and the fabrication of bogus passports, driver's licenses and other identification documents that the contemporary forger may be outrunning his pursuers. Los Angeles Graphologist Andrea McNichol blames the carelessness of banks and other institutions for making the forger's life easier. "Banks take no steps to protect themselves," she contends. "You could sign your name 'Jesus Christ,' and they would pass it." Sergeant Russell Meltzer of the Los Angeles police forgery division agrees. Says he: "Sometimes the victims should be prosecuted for stupidity, instead of the crooks for the crime."

One thing seems certain. In an age in which record-keeping and the resulting blizzard of paper keeps growing, the forger's furtive art is bound to flourish. "You can't be born or die or do much in between without a lot of paper," says Conway. Indeed, each bureaucrat seems unable to resist converting his musings to writing, each official transaction produces a document, each personal milestone is recorded—and all are grist for the forger.

Those who plot forgery on an epic scale, however, may well be inhibited by last week's dramatic demonstration of how the canny sleuths who peer at the loops produced by a pen and assess the chemicals found in a binding can so readily expose a Hitler diary hoax. At least equally forewarned should be any editor foolish enough to emulate those at *Stern*, who so recklessly placed journalistic expediency above society's overriding need for accurate history. There is never a need, nor a justification, for "publishing first and authenticating later."

—By Ed Magrison.
Reported by Gary Lee/Bonn and Melissa Ludtke/
New York

The Customers Always Write

Doodles, says a Los Angeles graphologist, reveal oodles

Fred draws spider webs while talking on the phone with his fiancée. This means he feels trapped and is having second thoughts about marrying her. Bill leans hard on his pen and produces angular downhill scribbles, a sure sign of a violent personality. Howard doodles with flair: long, looping figures that reveal a freewheeling personality, unafraid of risk.

These analyses come from Andrea McNichol, 37, a handwriting expert and interpreter of the lowly doodle, who runs her own Los Angeles firm, Graphology Consultants International. Much of her business comes from the analysis of signatures and other handwriting, often in forgery cases. But an increasing amount consists of scrutinizing scribbles and doodles for parole boards, law-enforcement agencies and employers eager to weed out troublesome prospective workers. Los Angeles Psychologist Clara Zilberstein calls McNichol's doodle analysis "quite astute and superb," and a former California county probation officer, Carol Libby, credits McNichol's tests with preventing the parole of a dangerous inmate. To McNichol the apparently aimless doodle carries a heavy message from the unconscious. Says she: "Why you are feeling the way you are is always in your doodles."

Angular lines or tangled horizontal lines, she says, indicate hidden anger and

frustration. Arrows represent ambition, and when aimed in different directions reflect confusion in achieving goals. Symmetrical detailed doodles are drawn by orderly, precise conformists who are intolerant of chaos and insist on planning everything. Race cars and running animals signal a need to escape. Little stars represent hope, and the human eye indicates a suspicious nature, "the types," says McNichol, "who always tend to look over their shoulders and question things."

In tests of what she calls "conscious" doodles, McNichol gives doodlers a choice of three writing implements. "Some pencil users aren't very honest," she says. "Pencils erase, and it's a way of leaving no traces. Criminals almost always choose a pencil." Felt-tip doodlers want to leave the biggest impression with the least amount of work, and pen users are middle of the roaders with their egos in check.

Those tested must doodle in eleven partly drawn-in boxes, plus one empty one, each assessing some aspect of personality. The "confidence" box, for instance, contains a wavy horizontal line. Doodling above the line indicates self-confidence. Drawing a drowning person below the line,

says McNichol, sensibly enough, signifies worry about the future. Employers who use the twelve-box test to help judge job applicants usually watch the discipline box carefully. It carries a little square, and if testees draw another square, this means they are willing to take orders. People who draw outside the borders of several boxes are too rebellious to be highly prized employees.

Generally, McNichol says, those who draw human figures in any box are people who make both friends and enemies easily.

Written words are surefire signs of an intellectual. Shading of any kind suggests sensuality.

Most people doodle, she says, because they are bored. But people who are building and creating, such as fashion designers and architects, do a good deal of aimless doodling. Children with learning disabilities are probably the best doodlers, she says, because their normal outlets are blocked.

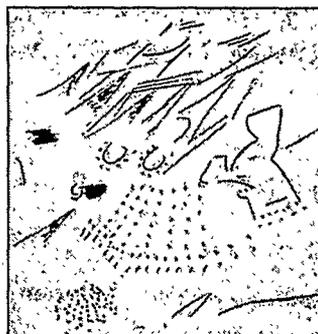
Writers doodle the least because "they can usually express themselves in words." Generally, when men draw women, says McNichol, they draw them naked. Says she: "Apparently, all they think about is sex."

However, almost all doodlers, she thinks, agree on one thing: they are eager to have their work analyzed. To McNichol it is the sign of a healthy narcissism. "People love to learn about their psyches," she says. "We can't get enough of ourselves."

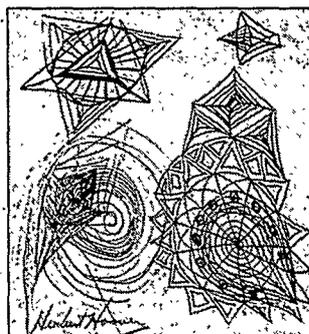
—By John Leo. Reported by Hollis Evans/Los Angeles



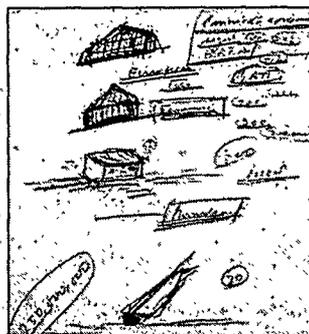
Graphologist McNichol



Coolidge: disturbed



Hoover: befuddled



Kennedy: graphic



Reagan: sociable

White House Doodles

TIME submitted a sampling of presidential doodles to Graphologist Andrea McNichol. Her comments:

Calvin Coolidge shows conflicting moods and feelings; the bottom half is precise and calm; but the top half reflects an impatient, unhappy individual. **Herbert Hoover** demonstrates incredible motivation, but the coiled web tells us he feels trapped, and the overlapping of the designs suggests that he is a bit befuddled and confused. **John Kennedy's** graphic movement indicates a superior intellect. Obviously he had

bad feelings toward the first, messily drawn house, which may be the White House. His feelings are moderate toward the middle house, and truly homey toward the third. Perhaps he felt some confusion about job vs. home.

Ronald Reagan's three sketches represent different aspects of himself: the cowboy, the athlete communicating physically and not verbally (notice there is no mouth), and the grumpy old man who looks to the left, representing the past. These are the doodles of a powerful, well-rounded man. Overall, Kennedy is the brightest of the group, Reagan the most sociable, Hoover the most confused and Coolidge the most disturbed.

THE DOCUMENT DETECTIVES

Questioned document examiners bring a blend of time-tested investigative techniques and technological expertise to the task of verifying a document's authenticity. Their findings can form the basis for case-winning expert testimony.

By Aslan B. Heidorn

Busy attorneys who frequently deal with contracts, deeds, partnership agreements, stock certificates, wills and other important documents, run the risk of being presented with forged, altered or substituted documents. These can come from the opposing side or, unhappily, in some cases from one's own client. Resolving questions about a document's authenticity often requires the services of specialists known as questioned document examiners.

According to John J. Harris, president of Harris and Harris, Questioned Document Examiners, Inc., forensic document examiners "identify handwriting, ink, typewriting—everything to do with the *physical* nature of the document in question—and then testify before the court or submit written reports of their findings." While examiners are often employed by the FBI, the Postal Service, police departments, and state crime laboratories, many are in private practice, adds Harris, who has been in the profession for 35 years.

TOOLS OF THE TRADE

There are numerous specialties and

Aslan B. Heidorn is a freelance writer based in Los Angeles.

subspecialties in the field of forensic document examination, as well as a variety of instruments to aid the questioned document examiner in authenticating or rejecting submitted documents.

"Because it takes thought and effort to prepare a case well, with expert testimony and photographic demonstrations, the office and laboratory of a forensic examiner will be equipped with microscopes, cameras, a photographic darkroom, an infrared viewer and other special instruments," maintains Harris. "Also, it is helpful to both the examiner and the attorney if the questioned document examiner maintains a library and extensive reference files."

In scrutinizing a questioned document, certain questions must be asked, says Harris. For example: How does the signature compare with other signatures known to be genuine? Does the signature appear to be traced? Is there evidence of erasures? Could the writing have been inserted above a genuine signature? Who typed the will? Has the date of the will been altered? Is the typewriting consistent throughout? Were pages substituted, or of a different kind of paper? Do the initials on each page appear to be genuine?

An examiner is often called upon to determine if certain records were actually written on the date they bear. Perhaps alterations or revisions were made, or substitutions and/or elaborations. To help resolve these doubts, Harris uses an ESDA—an instrument that brings out writing impressions on an otherwise blank page. Harris advises that the ESDA is particularly helpful in cases where medical records are at issue, as it will sometimes bring out what was on the original document.

Another method of analysis in the questioned document examiner's tool kit is ink analysis. Forensic chemist Albert H. Lyter, III, president of Federal Forensic Associates, points out that because there are relatively few ink manufacturing

companies, a standard library of known inks has been compiled by the U.S. Treasury Department; questioned ink writing can be examined and compared with this collection to determine the questioned ink's similarity to any of the known inks.

"Through this procedure," explains Lyter, who claims to be the only person in the private sector working in this area, "questioned inks can be matched to each other indicating the same formulation, or to a standard ink which would identify the ink and allow for subsequent dating of the questioned document through the availability of manufacture dates.

"Each ink manufacturing company," continues Lyter, "has several formulations of each color. The average time span for ink formulation changes is three years. However, approximately 40 percent of the manufacturers are now participating in a volunteer program wherein they add a new formulation every year."

The rationale for this "forced formulation change," says Lyter, is to increase the success of dating documents through determining the kind of ink used on the document, who made the formulation and when.

Lyter asserts that many people are not aware of the extent to which ink analysis can help them in a particular case. "For example, tying in a writing instrument with a particular writing can be done on various documents. This would occur on check alterations in which the same writing instrument was used to make both the alteration on the front and the endorsement on the back of the check.

"Another aspect of ink analysis is the relative aging of ink. This technique relies basically on the fact that ink dries when placed on a document and continues to dry over a period of time.

"At the present time," says Lyter, "this technique is limited to ball point pen inks—the technique will not work with fountain pens or other non-ball point pen inks due to the

mechanisms under which they dry. Ball point pen ink sits on top of the paper and dries rather slowly, while other inks go into the paper and dry quickly."

Dates of signature can be checked by determining "how easy it is to either extract the ink from the paper into a solution or how much of the volatile components or the solvent components are still left in the ink," concludes Lyter.

HANDWRITING ANALYSIS VS. GRAPHOLOGY

While an attorney may automatically consult with a forensic chemist about a question involving ink, the specialty of handwriting analysis is not as clearly defined. Part of the confusion is rooted in the historical uncertainty regarding handwriting analysis: does it come under the purview of art, science or quackery?

Far from being a method for detecting forgery, the study of handwriting has been linked for well over 18 centuries with efforts to understand human behavior. The relationship between handwriting and personality captured the attention of Chinese scholars in the eleventh century; and in fifteenth-century Europe, Camillo Baldi noted that all persons have a recognizably characteristic way of writing. Baldi's observations were later to influence the work of Abbé Hippolyte Michon, the originator of the term *graphology*.

While Michon and his associate, Crepieux-Jamin, attempted to relate specific elements in handwriting to definitive personality traits, others—before and after—evaluated handwriting merely by the impression it made on them. Among those amateur or intuitive graphologists were poets, artists and philosophers such as Goethe and Poe.

However, earlier studies to investigate graphological claims scientifically were not conclusive and the field has been viewed by many as slightly suspect.

Today, graphology has gained in acceptance and experts in the field are widely employed in industry, business and the healing arts. But qualified document examiners do not use graphological assessments in preparing their expert opinions about disputed documents.

According to document examiner Jerry Browne, owner and president of Jerry Browne Enterprises, handwriting analysts who determine personality traits *only* are not recognized by the court. "Unfortunately," says Browne, a charter member of the World Association of Document Examiners (WADE), "many people equate handwriting analysis with fortune telling or phrenology. Even in bookstores and libraries, when one inquires about books on handwriting analysis, the sales clerk will automatically direct one to the occult section.

"It is very annoying to people in our business to be classified under the occult, because we do not proselytize anything. If I see certain traits in a character or certain characteristics of handwriting, I can relate how that person will probably react under a given set of circumstances, but I am not forecasting.

"However," continues Browne, "I have no way of knowing and I don't care, nor will the court allow me to give my opinion on the personality of the writer. All the court wants to know is, in my opinion, did a certain person write certain documents, or did someone else write them—it is strictly a comparison."

CHECKING QUALIFICATIONS

Specialists in the field are proud of their technological prowess and concur that prospective clients should weed out charlatans by checking each individual examiner's qualifications thoroughly.

"Questioned document examiners are apt to be members of the American Society of Questioned Document Examiners or the American Academy of Forensic Sciences," claims Harris. "They are likely to be certified—if they have applied for certification—by the American Board of Forensic Document Examiners."

In California, there is no required examination that would qualify questioned document examiners; consequently, no certification *per se* is given. The result is that questioned document examiners must be certified by the court each time they appear to testify.

Andrea McNichol, director of Graphology Consultants, International, declares that "an examination should be required to certify ques-

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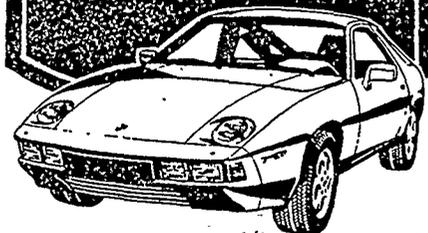


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tioned document examiners. "I do not think it will happen in the near future."

Part of the problem, relates McNichol, is that handwriting is becoming a lost art and people are becoming less knowledgeable about handwriting. "Therefore, there are relatively few people qualified to judge the expertise of applicants to the profession."

Harris, a past president of both the American Board of Forensic Document Examiners and the American Society of Questioned Document Examiners, suggests that before hiring a firm, attorneys consult with the questioned document examiner in his or her office. "That will certainly allow the attorney to ascertain if there indeed is an office, or if the questioned document examiner is operating out of the bedroom or kitchen of his home."

TIPS FOR LAWYERS

Questioned document examiners have a number of suggestions for attorneys who may need their services. They also have tips for attorneys to follow when preparing documents so that their validity need never be in doubt.

"Attorneys should not wait until the last minute to consult a questioned document examiner. Normally, I need at least five working days to adequately study the questioned document and prepare a report," claims Marta Chausee, of Marta Chausee Associates.

John T. Lynch, president of the John T. Lynch Company, a professional investigation company that is owned and operated by former FBI agents, advises attorneys to give examiners the original document—or what is purported to be the original document.

"Copies cause a variety of problems and the original is critical for the best results," he adds. In cases involving questions about the authenticity of a document and the signature on a document, the examiner requires the original document if it exists and as many samples of the known handwriting of the true, authorized signature.

Harris agrees and adds that the examiner should "see the document before the trial. Handwriting is only one consideration. Information can

also be gleaned from laboratory study of ink, typing, watermarks, paper, color, envelopes if any, and other considerations."

Alexis Silver, a trained document examiner, hopes that the questioned legal documents "would be written on paper with a water mark. Many paper companies date their water marks or utilize a design or a dot as a mark of identification, and on wills and other legal documents this could prove to be crucial."

McNichol adds that a problem she all too frequently encounters is the lack of initials or legible initials on each page of a will. "I've seen documents where only one page was initialed or documents on which, because the original was lost, the photocopied will showed barely discernible initials. Sometimes an initial is what an entire estate settlement will be based on.

"In my opinion," continues McNichol, "every page of a will should be signed and dated—if a document warrants an initial, then it warrants a full signature and a date in the person's own hand."

Questioned document examiners have made their mark in such well-publicized cases as the dispute over Howard Hughes's "Mormon Will." While few document verification cases involve famous persons or large sums of money, questioned document examiners are eager to offer their time-tested techniques and new technologies to all lawyers and their clients.

LOCAL EXAMINERS

Questioned document examiners in the Southern California area include:

- Jerry Browne Enterprises, which offers 14 years of experience in court-qualified questioned document examination and handwriting expertise in Los Angeles and San Diego counties. Contact: Jerry Browne, owner and president, P.O. Box 11692, Santa Ana, CA 92711; (714) 978-1230.

- Marta Chausee and Associates, which offers questioned document examination. Contact: Marta Chausee. In Los Angeles: 5237 Mount Royal Drive, Los Angeles, CA 90041; (213) 257-4166. In Florida: 1 Grand Cypress Boulevard, Orlando, FL 32819; (305) 239-1236.

- Federal Forensic Associates, which specializes in forensic chem-

istry. Its work has been court-qualified in federal, state and military courts in more than 20 states and abroad. Contact: Albert H. Lyter, III, president, 749 South Burnside, Suite 203, Los Angeles, CA 90036; (213) 935-2046.

- Graphology Consultants International, which boasts more than 10 years of service as a consultant to individuals, businesses and law enforcement agencies in the areas of graphology and examination of questioned documents. Contact: Andrea McNichol, director. (213) 656-6802.

- Harris and Harris, Questioned Document Examiners, Inc., which is a 35-year veteran in the profession. Harris and Harris sports a fully-equipped laboratory, resource library and reference file. In Los Angeles, contact: John J. Harris, president, 523 West Sixth Street, Suite 207, Los Angeles, CA 90014-1090. In Ventura County, contact: Patricia R. Harris, 6163 North Heatherton Drive, P.O. Box 599, Somis, CA 93066; (805) 987-4886.

- John T. Lynch Company, which is a professional investigation company with 30 years of experience. It has offices in major cities coast to coast. Contact: John T. Lynch, president, 727 West Seventh Street, Los Angeles, CA 90017; (213) 624-4301.

- Alexis Silver, who is a handwriting expert and questioned document examiner. Contact: Alexis Silver, principal. (213) 823-3951.

Other questioned document examiners in the Southern California area include:

- Lurline E. Cotton, 1700 Sheffield Drive, Lompoc, CA 93436; (805) 736-3487;

- Dorothy Brinkerhoff, 4316 Boyar, Long Beach, CA 90807; (213) 427-2005;

- Hazel R. Elliott, 4540 Whaley Avenue, Long Beach, CA 90807; (213) 422-8431;

- Charles Bernold, 18436 Wake Crest Drive, Malibu, CA 92065; (213) 454-8643;

- Jeannie Groves, 2917 Via Rivera, Palos Verdes Estates, CA 90274;

- Beverly Kishner, 28133 South Ridgepoint Court, Rancho Palos Verdes, CA 90274; (213) 631-3318; and

- Dorothea Harder, P.O. Box 3338, Simi Valley, CA 93063; (805) 526-6837.

Graphology Enters the Marketplace

Firms Use Handwriting Analysis as Guide to Hiring, Firing

By SAMUEL GREENGARD

When executives of a nationwide drugstore chain discovered \$40,000 missing from the safe of one of their stores, they assumed it was an inside job. But nobody—including the firm's full-time security force—knew who was involved. All 16 employees of the store denied knowledge of the incident and only three agreed to take a polygraph test.

Rather than write off the loss and hope to catch the culprit next time, as many other firms would have done, the drugstore chain decided to employ a technique that is only now beginning to gain acceptance in the United States—handwriting analysis.

Handwritten Statements

Security officers asked the employees to fill out a one-page handwritten statement about the incident. The depositions were then sent to Andrea McNichol of Los Angeles-based Graphology Consultants International. She examined the documents and told the executives—from the structure of the handwriting alone—which four employees were involved, who did the actual stealing, and what time the theft occurred. When security officers later confronted the four with the "facts" of the crime, McNichol said, they broke down and confessed their guilt. What's more, the firm got its \$40,000 back.

While many specialists in behavioral sciences scorn handwrit-

ing analysis as a means of examining the human personality, graphologists now claim more than 2,000 U.S. firms as clients. Some companies find handwriting analysis to be a reliable tool for solving employee crimes (according to the U.S. Department of Commerce, American companies lose more than \$90 billion a year to internal theft); others use it to screen job applicants or examine business contracts; a few even look at it as a way of increasing productivity: "Compatible" workers are put together in the same office.

Graphology Consultants International's McNichol—who lists more than 500 clients nationwide—calls graphology a "brainprint . . . an X-ray of the mind." And while it will not reveal the age or sex of the subject tested, it will paint an accurate picture of just about everything else, she said. Illnesses, alcoholism, drug abuse,

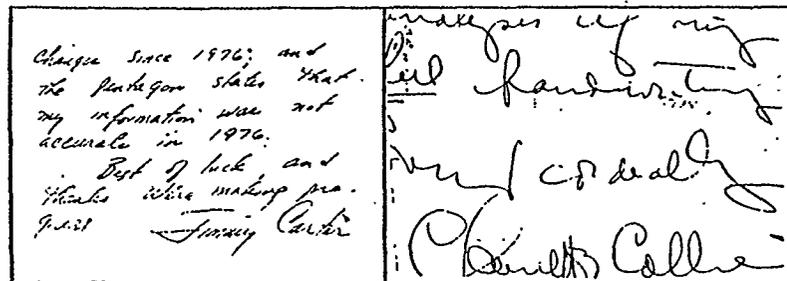
dishonesty, even one's ability to follow orders and not talk back can be measured.

According to McNichol, handwriting analysis is "close to 100% accurate" when administered by a properly trained expert. "Even if someone tries to disguise their handwriting it won't do any good. You can't fool a skilled graphologist."

Screening Tool

Lynne Variano of Handwriting Dynamics in Palos Verdes believes graphology is the most effective screening tool available to employers. "In an interview or a personality assessment someone can usually figure out how to answer the questions. If they are asked, 'Do you like to work with other people?' they will answer, 'Of course.' With handwriting analysis, the person may answer 'Yes,' but his

Please see ANALYSIS, Page 3



Handwriting of the famous—such as Jimmy Carter, left, and Claudette Colbert—is a popular subject in field of graphology.



KEN HIVELEY / Los Angeles Times

Graphologist Andrea McNichol, whose work helped solve a \$40,000 theft, studies a sample with an attached drawing.

Liberated Male

Savor Life's Moments

By M SANDERSON

Every now and then parents feel compelled to pontificate about the meaning of life. I trust my kids will forgive—if not savor—the following:

"Before I started on my trip around the world, someone gave me one of the most valuable hints I have ever had," said naturalist William Beebe. "It consists merely in shutting your eyes when you are in the midst of a great moment, or close to some marvel of time or space, and convincing yourself that you are at home again with the experience over and past; and what would you wish most to have experienced or done if you could turn time space back again?"

Question of Awareness

Awareness is what he's talking about vs. busyness. We all take our lives too much for granted, and young people, especially, are often so busy "having fun" that they never stop to really enjoy.

As you may recall, I was once a great camera bug, but one day I decided that I was so busy experimenting with lenses, looking for the right angle, posing people, trying multiple exposures, etc. that I was not really involved with the

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ANALYSIS

Continued from Page 1

handwriting will always tell the truth."

A typical graphological analysis works something like this: A sample of the prospective employee's handwriting (the person may or may not be aware he is being tested; the sample is usually obtained by asking the question, "Why do you want to work for us?") is sent to the graphologist, who looks at the size and shape of the letters, spelling and punctua-

tion errors, variations in spacing and the amount of pressure used in writing. Then a one- to four-page report—or occasionally a cassette tape—is sent back to the firm. This contains assessments of various qualities, including intelligence, motivation, integrity, competitiveness, leadership potential and the ability to communicate well.

The graphologist, however, goes no further than making recommendations. The final decision on whether to hire somebody is always up to the employer. Yet, even with a personality assessment in hand, it isn't always an easy decision.

"Sometimes a person will test out as a potentially great salesperson, but they will lack integrity," McNichol noted. "The company must then ask itself, 'Will that person be working with money? Is this a job that could contribute to their downfall?'"

The cost of a single analysis ranges from \$75 to \$125, depending on the graphologist. Rates for those who want to "find the guilty party" start at \$100 an hour.

"It's a fast and inexpensive tool that has helped us put together a very good staff," said Bruce Lawrence, operations manager for Or-

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ANALYSIS

Continued from Page 3

ange County-based John Crandall Jewelers. "It knocks down the barriers; it finds things we otherwise wouldn't have known about an individual."

Lawrence first became sold on the merits of graphology after he used it to recover \$30,000 in diamonds that were missing from a store's safe. The report pointed to an employee "we would have never suspected. Yet when we confronted him with the evidence, he confessed to the crime."

Beverly Hills dentist Robert Abeloff has been using handwriting analysis to screen job applicants for 15 years. "It's an aid, not entirely a solution. I still look at all the information on the application and interview the person. I'm not interested in their whole life style. I just want to find someone who possesses the qualities I'm looking for. When I use it I feel I know what I'm getting; I'm not surprised."

And Mike Magill, the loss prevention director of that national drugstore chain that caught the crooks and recovered the \$40,000, describes it as "very effective."

Difficult to Quantify

Yet despite the accolades of those who use graphology, it is still far from being recognized as a legitimate science. And that isn't likely to change in the near future. "It's somewhat more subjective than other types of personality assessments. It (handwriting) is a difficult thing to quantify," said Bertram Raven, head of UCLA's psychology department.

According to William F. Amberg, a Los Angeles psychologist who specializes in management work, handwriting analysis is in no way "considered part of the field of psychology."

Graphologists freely admit their profession faces a serious public relations problem: "You say the words 'handwriting analysis' to someone and all of a sudden it conjures up images of toothless Gypsies telling fortunes at a carnival booth," McNichol noted.

Variano added: "Handwriting analysis is not understood by most people. In addition, there are a lot of individuals around who call themselves handwriting experts but don't know the first thing about it."

In fact, graphologists say, that's the main problem with the profession. Because no license or certification is required, anyone can claim to be a handwriting expert. Making matter even worse, formal training in handwriting analysis is not available at any public university in the United States (McNichol, for example, studied at the University of Heidelberg).

All of this might help explain why graphology has had such a difficult time gaining acceptance.

Their Secret Weapon

Not surprisingly, most firms that do use it prefer not to publicize the fact. Some worry about adverse public opinion; others look at it as their secret weapon in the ever-competitive business world. And then there's this frequent concern: Since the legality of handwriting analysis as an employment aid has never been thoroughly tested in the courts, many firms fear they could be the target of possible lawsuits.

"There are people willing to make decisions on half-a-million-dollar-a-year salaries using handwriting analysis," McNichol said. "By the same token they are humiliated to admit it."

SECURITY ***MANAGEMENT***
PROTECTING PROPERTY, PEOPLE & ASSETS

Security

CLOSEUP

HANDWRITING ANALYSIS AS A SECURITY TOOL

Part One of a Two-Part Article

Graphologists—analysts of handwriting—say that their specialty can help Security. It can be used both to screen job applicants and to evaluate suspects in criminal investigations, they say. In other words, graphology, properly used, functions somewhat like a personality test and lie detector.

Is that true? Does handwriting tell that much about a person?

Graphologists say yes. The act of writing is a physical behavior. As such, it's influenced by attitudes, emotions, disorders. Graphologists say that a handwriting sample, under the right conditions, can be as revealing as the nervous tic of an eyelid or a Freudian slip of the tongue.

Let's look at an exhibit. Suppose the personnel director of your company comes to you with applications submitted by two job candidates. Attached to each application is a handwritten statement from the candidate. The personnel chief wants you to look over the applications and make recommendations.

Now, you're no graphologist. But perhaps, even so, you can make reasonable inferences when certain features in a writing sample are glaring enough. Turn for a moment to the next page of this Closeup and look at the two handwriting samples

in the box. Suppose that they're from the two applications you've been asked to evaluate. Never mind what the samples *say*, just look at the writing.

It's highly probable that you'd advise the personnel chief to hire the writer of sample No. 1 and forget about the writer of sample No. 2. Why? Just because of the way the writing looks.

The letters in sample 1 look bold and decisive, consistent in size and slant. The lines of writing look straight. If you were to make guesses about the writer, you might think in these terms: clear, positive, strong, intelligent, authoritative. And you'd be right. The sample shows the handwriting of the late Illinois senator Adlai Stevenson, presidential candidate of the 1950s.

And the second sample? The writing is childish large, switching from cursive to block printing and back. Because of poor planning or whatever, the writing slops over into the margins, sideways and upside down. Your impression might be that the writer is wild, unstable, lacking clear orientation and focus. You'd be right again. The handwriting is Charles Manson's.

Granted, this is an extreme case. The Manson sample broadcasts disordered personality so blatantly that even a layman can spot it. Most clues

volving graphology have been conducted and reported on by U.S. scientists, psychologists, and physicians, but only recently have U.S. educators begun to give this science the consideration it deserves."

Now, gradually, some American corporate and institutional decision makers are becoming believers. It's estimated that more than 1,000 U.S. companies now use handwriting analysis as a substitute for, or adjunct to, other employee-selection tools. Many personnel directors agree that administering the analysis is more spontaneous than other methods, induces little or no stress in the subject, and can be relied upon more often to provide valid results.

When the computer firm Datamatics wants to assess an applicant's suitability for a job, it doesn't call in a psychologist. It calls a priest! Father Norman Werling, a Carmelite priest, has for the past 20 years been moonlighting as a graphologist. His agency, Graphodynamics Associates, is located in Paramus, New Jersey. According to the people at Datamatics, for whom Werling isolates about 40 job-related traits, ranging from honesty to an aptitude for music, his accuracy has been "phenomenal."

Werling explains that handwriting is the result of neuromuscular impulses manufactured in the brain and then communicated to the body, accounting for the hooks, loops, and ovals found in all handwriting. Graphologists believe that, because these impulses are manufactured in the brain, the way a person writes is an indication of his or her personality. Hidden in the curlicues at the end of a word or in the crossbar of the letter T, can be found indicators of ambition, truthfulness, and as many as 300 other characteristics.

Werling says that the best time to obtain a handwriting sample is when a prospective employee completes a job application. "I have the client company attach an extra sheet of blank paper to the application, asking the applicant to sign his or her legal signature three times, and then to write, *not print*, approximately 100 words as to why he or she should get the job. The applicant should be told that this material will help the company give an early answer, so he or she knows the handwriting will be used as a selection tool."

Other proponents are not so open about admitting to people that their handwriting will be analyzed. Many employers who use handwriting analysis prefer to keep it a secret. Although there is the

hint of invasion of privacy, there's no law forbidding analysis of a person's squiggles and scrawls, as long as the writing sample is obtained legally. Says Werling, "You can't break into someone's house to obtain the sample. That's an invasion of their privacy. But when you give your writing to another person, it's no longer your property. That's been decided by the courts. It's perfectly legal for a company to ask an applicant for handwriting samples."

Agreement is offered by Felix Klein, president of Manhattan Handwriting Consultant, in New York. "The U.S. Supreme Court has established that a person cannot refuse to give a sample of his or her handwriting for analysis. The Court ruled that a person's handwriting is public domain. When you sign a check, you are 'giving away' your handwriting. Of course, you cannot use deception or force to get a handwriting sample. If you remove scraps of paper from the trash can, that's illegal."

Graphoanalysis does not reveal the age, sex, race or religion of an applicant, and virtually all graphologists assert that their methods do not violate Equal Employment Opportunity regulations.

Legal acceptance has made graphology more acceptable to more employers. Yet many still express reservations. "Handwriting analysis used to be done in secret all the time," says Klein. "Now it can be done openly. Despite the legal acceptance, often a job candidate does object—strongly—to having his or her handwriting analyzed. If the person expresses strong reluctance to have writing analyzed, but appears to be a good candidate for the job otherwise, I would suggest not forcing the issue.

"Legally," says Klein, "you don't need to inform the candidate that an analysis will be done. But legality isn't always the only factor. The ethical and interpersonal side is another story. Each employer must act according to conscience."

Polygraph Plus

It's well known that many companies and other organizations use polygraphs for employment screening. But many are discovering that handwriting analysis accomplishes more than a polygraph, often at less expense.

Graphoanalyst Sheila Kurtz, of A New Slant, in New York, consults to many companies that have replaced the polygraph with graphology. "They now get not only a picture of the person's integri-

ty," she says, "but also a complete personality profile. A proper analysis will show what a person is like and where he'd fit best in the organization." The value of this, she explains, is that even a person with high integrity, when put in the wrong situation, is likely to have problems. "Handwriting analysis helps where a polygraph won't, because it's much more complete—a total picture of the person."

This kind of whole-person assessment needn't be limited to job seekers. Felix Klein says, "Once the president of a company asked me to evaluate his entire personnel roster. He had people who had worked for him for over 20 years, but he decided he wanted more information about them." Such information can be used in deciding on promotions, stabilizing staff, and increasing compatibility in task groupings.

Handwriting analysis has another advantage over other assessment methods—it can't be faked. An intelligent person can outthink printed psychological tests, and polygraphs are often unreliable, measuring only what the subject knows or believes on a conscious level. "But," says Sheila Kurtz, "you can never fake a writing sample, even if you try to copy someone else's writing. For an expert, it's very easy to spot."

Father Werling agrees, adding that even if you try to change your own handwriting, slanting in another direction or even changing hands, you still can't fool the trained graphologist. "There are so many movements involved in writing," he says, "that although you may be able to change or disguise a loop here or a T-bar there, you'll never change them all. A good graphologist can spot the fake a mile away."

One area in which handwriting does not remain consistent is the signature, and there is disagreement among graphologists as to how significant it is. Werling asks for three signatures when he analyzes a piece of writing. Kurtz, on the other hand, never looks at the way a person signs his or her name. "People stylize their signatures," she says. "People imitate a parent or teacher, or just sign their name according to how they're feeling at the time."

Limits of Graphology

So what can handwriting analysis do for you? Werling insists that his analyses are not meant to be sole criteria for employment. Rather, they're meant as ways for his clients to anticipate the behavior of an individual *if* hired. If you're hiring salespeople, for example, his analyses will measure stamina, drive, motivation, ability to persuade—that is, all the characteristics necessary in a successful salesperson.

In addition, graphoanalysis can be used in somewhat the same way that "honesty tests" such as the Reid Report and the Stanton test are used. A jewelry manufacturer in New York uses Werling's services to check the honesty of its employees. "But we don't accuse," cautions Werling. "We just locate the weak characters or emotionally disturbed people who are likely to get into trouble."

Klein, of Manhattan Handwriting Consultant, agrees that no client should expect the graphologist to supply ironclad answers. "We talk in terms of likelihood and possibility," he says. "I won't say, 'Because this man's handwriting slants to the left, you shouldn't hire him.' That's absurd. But, by judging a number of factors, we can evaluate the writer according to whatever elements of character we are considering. We can determine with great reliability if the candidate is likely to be an incompetent, to be unstable, to be dishonest in certain situations. On the other side, we can predict who will show leadership, enthusiasm, and aggressiveness. Accurate predictions on these questions translate into enormous savings in training time, operating costs, and overall work productivity rates."

Next issue, Part Two of this article:
—Graphology in the investigation of crimes.
—Specifically, what features in
handwriting do graphologists look at?

PROFESSIONAL PROTECTION

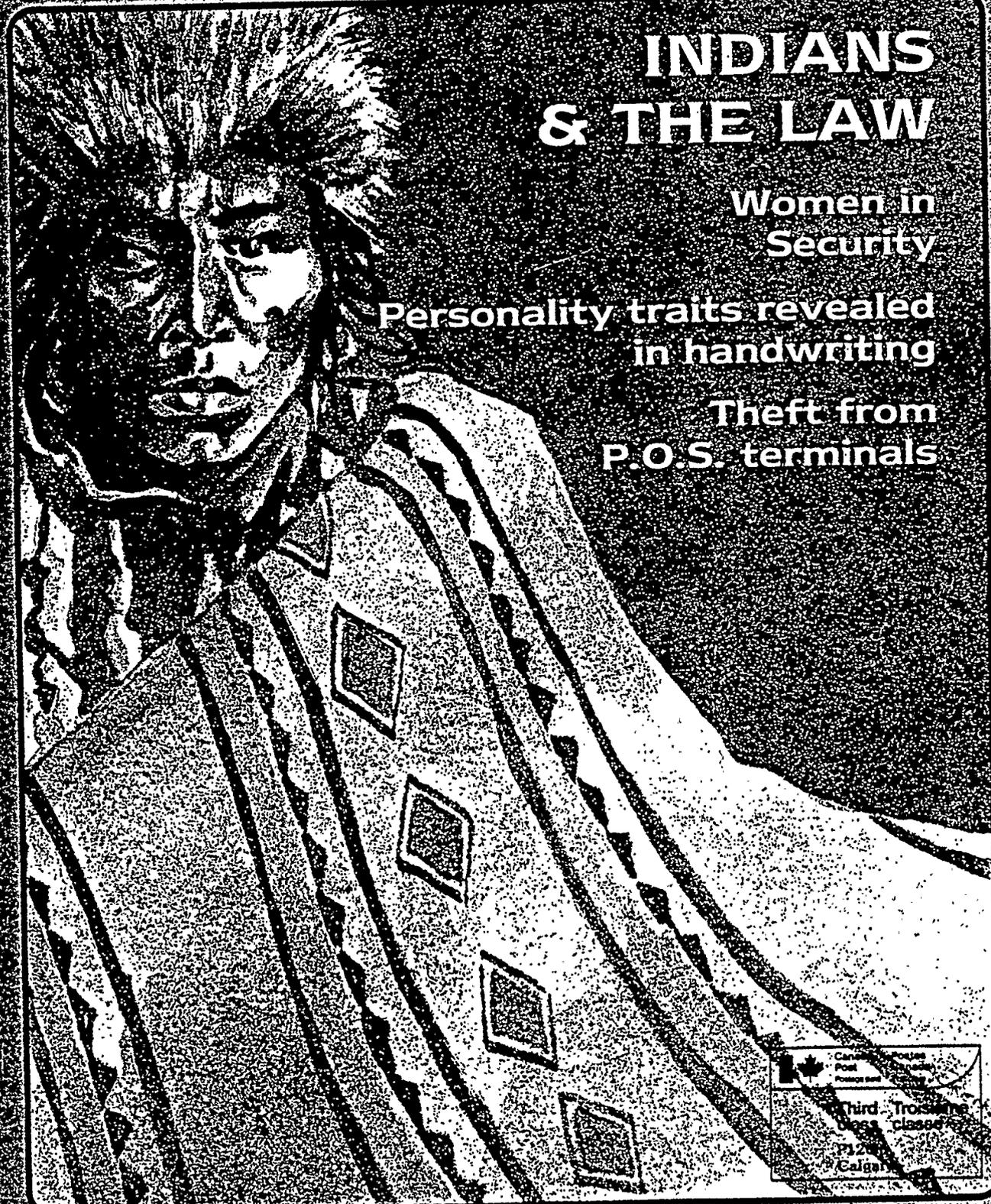
Magazine

INDIANS & THE LAW

Women in
Security

Personality traits revealed
in handwriting

Theft from
P.O.S. terminals



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Graphology Hands Security a Challenge

Personality Traits Revealed in Handwriting

by Andrea McNichol

I'll wager any one of you in the security world that once you've learned about graphology you'll never feel secure about anyone again until you've had their handwriting looked at by a skilled graphologist.

Now I suspect that people who work in Europe, Israel, or South America couldn't agree more, because in those countries graphology is a study worthy of doctorate degrees. As a diagnostic tool it is used extensively in the areas of law enforcement, medicine and psychology, and over 80 per cent of major industries find it indispensable in the personnel and security fields.

However, Americans or members of a handful of other modern countries are probably uninformed about the value of handwriting analysis and are somehow certain that it has something to do with gypsies and carnivals and obviously of no value to society.

I challenge any and all sceptics to put graphology to the test. For approximately \$75 the graphologist can accurately answer the following questions after five to ten minutes of looking at an individual's handwriting.

1. What is the level of functioning intelligence?
2. What are the writer's aptitudes and talents?
3. What occupations would the writer excel in?
4. Has the writer been successful in school? Work?
5. Is the writer emotionally stable and how does he behave on the job?
6. Is the writer hard working? Reliable? Co-operative?
7. Is the person a leader or a follower? A team player or individualist?
8. Is the person in good physical health?
9. Has the ever been in prison? Is he likely to take it? Be tempted?
10. How would the person act in an

emergency?

11. If offered a bribe, would the person be likely to take it? Be tempted?

12. Would the person be likely to steal or embezzle from his employer or friends?

13. Could the individual become violent?

14. Is the person an alcoholic or drug user or is he close to being one?

15. Does the person have disturbed sexuality?

16. Does the person have unreasonable prejudices or weird hang-up?

17. Is the person able to work well within highly structured 9 to 5 situations, or does he require greater independence and room for personal expression?

18. Is the person rigid in his beliefs or open-minded and liberal in attitudes?

19. If you told the stranger a secret, would he keep it?

20. Could you describe how this individual will act in public?

Wouldn't you have to hire a team of psychologists, a polygrapher, and a medical doctor, interview friends, neighbors, relatives, co-workers and previous teachers and employers of the person, run credit and security checks on him, administer a battery of aptitude and intelligence tests, spend anywhere from \$5,000 to \$10,000, and wait a minimum of two weeks to answer these questions?

And wouldn't you still be doubtful of many of your responses?

Now the question arises as to how to convince you of graphology's merits. I know it is pointless to recount the numerous documented case histories in which the use of handwriting analysis served to quickly spot the thief and recover the stolen goods or to relay the fact that those industries who use graphology in their pre-employment selections have lower turn-over rates, substantially reduced crime problems, improved morale, higher productivity,

and greater profits across the board, than comparable companies using traditional hiring methods. You would be likely to conclude that the graphologists involved were psychic or endowed with extra-sensory perception or were erroneously given credit for the amazing results. Why else have you continued to ignore the many widely published accounts of the successes attributed to the use of graphology?

I have yet to find anyone, however, who remained dubious about the relationship between handwriting and behavior after personally learning the basics of graphology. Thus, to understand how and why a person's handwriting, like his body language, is a form of expressive movement which originates in the brain, and that all graphological interpretations are based on common sense, kinesthetic principles, and psychological phenomena is essential to realizing its validity and usefulness.

Unfortunately, those countries which have relegated graphology to the occult offer few accredited courses on the subject and have no licensing programs. As a result, the science can be practiced by any one who wishes, and the public doesn't know if the analyst is competent or not. But, one can learn if he really wants to. It is ironic that the scarcity of sound educations on graphology exists in only those countries who do not make use of it. Therefore, it would appear that acceptance of this worthy science depends on the educators of the society.

Graphology Quiz

The following material is intended to demonstrate to you that you already know about several aspects of graphology, perhaps without realizing it, because it is simple common sense. Try the following quiz. See answers and brief explanations on page

Question 1)

Applicant A

Which of the two job applicants, whose writing is shown below, became a loyal and hard working employee who quickly rose to the top in his company on the strength of his leadership skills?

And which applicant appeared to be a loyal and hard working employee with leadership skills until he was apprehended and convicted of embezzling over one million dollars from his employer?

refused to slip into the long-predicted government reported today. While the economy was losing one steam in the January-

Applicant B

moment I am mildly angry because six months ago my instructor in business school was appointed

Question 2)

Which of the two job applicants, whose writing appears below, became a nightmare for his employer due to frequent absences and tardiness, neglect of important details, and a propensity for making costly mistakes, and finally was dismissed for drinking on the job?

And which applicant became one of the best detail men his employer ever had, with an outstanding attendance record over a 20 year span?

Catching up on recent events. From time to time, we get to hear about the Kroner household from Margarita, Patty, and Lynn. We hope to get together again, soon

Applicant C

Jandly,

Applicant D

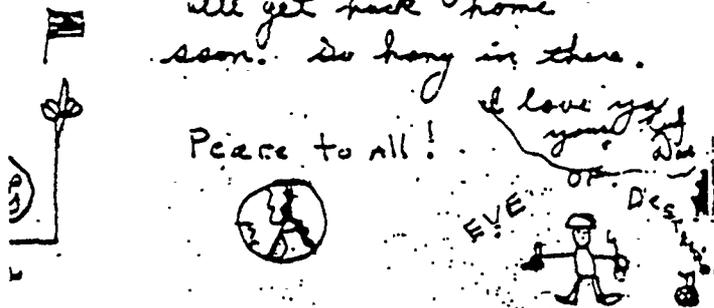
my true personality may be. I have some reservations relative to the entire process - however my mind is not completely closed.

Question 3)

Of the two writings below, which belongs to former U.S. president, Jimmy Carter, and which belongs to "Son of Sam" convicted mass murderer?

Handwriting F

ill be around for awhile.
Hey, do you know that
I miss you? I really do.
I'll get back home
soon. Do hang in there.



Blessed are the Peacemakers, For they

These are fine officers,
Charged since 1976, and
the Pentagon states that
my information was not
accurate in 1976.
Best of luck and

Handwriting E

you, that David Berkowitz (Son of Sam) wrote Handwriting F, then it should be equally obvious that graphic movement does indeed provide unmistakable clues by which the personality of the writer can be assessed.

Canadian Businesses are Slow to Accept Graphology

The science of handwriting analysis may soon lose its occult-tinged image and become a respectable tool of personnel departments if Canadian companies follow their U.S. counterparts.

More than 2,000 businesses in the U.S. are currently using graphology as part of their placement techniques and in Europe (where it was developed over 300 years ago) an estimated 85 per cent of all companies use the method as a routine hiring system. Studies indicate that these firms are reducing their staff turnover rate by 30 per cent.

"In North America, 80 per cent of employees are in the wrong jobs, and most of those are under-employed," says Eldene Whiting, owner of Graphology Consultants of California.

"Handwriting analysis can place these people in the right jobs working at their best level. Figures show the results increase staff longevity with the same company by 70 per cent."

Whiting's figures are derived from a 16-year study by Princeton's Marketing Survey and Research Corporation which drew data from 350,000 people from 7,000 companies, and was completed in 1977. (continued, p.48)

Answers to Graphology Quiz:

Question 1:

The writer, Applicant A is the hard working and loyal employee who rose to the top on the strength of his leadership skills. Note the rhythmical, firm and legible writing with heavy horizontal strokes indicative of one with ambition, drive and leadership potential who is steady in performance and clear about his intentions and able to communicate them with ease.

The writer, Applicant B, is the person who initially fooled everyone where he worked, until he was caught embezzling. Note the high degree of illegibility, excessive angularity and slovenliness, the uphill base line and inconsistent length and strength of the horizontal lines, indicative of one who deceives by evasiveness and fools others by frantic aggressiveness, desire to be busy at all times, and an ability to appear intensely enthusiastic and hyper, so that no one would consider him anything other than a workaholic.

Question 2:

The writer, Applicant C, is the superb detail man with an outstanding attendance record on the job over a 20-year span. Note the careful, detailed, and correct writing, nearly a model sample of a school book, traditional Palmer style, evenness, and overall moderation of form indicative of one

who is traditional and conventional in appearance and lifestyle, a stickler for detail and absolute correctness, and a willingness to never deviate, go to extremes or be anything other than meticulously perfect and predictable.

The writer, Applicant D, is the man who was finally fired for drinking on the job and who was always a problem for his employer because of frequent errors and a continuous absenteeism problem. Note the neglect of conventional writing rules, the high degree of illegibility, the many mistakes, the slashed horizontal lines, the large and irregular letters, the severe rightward lean of the writing, indicative of one who does not care for small details or rules he thinks unnecessary, whose heavy ingestion of alcohol, on a regular basis, has greatly contributed to anger and frustration when deprived, lack of concern over proper communication with others, an inability to confine himself to small spaces or highly structured environments, and to openly defy the system.

Question 3:

If it seemed rather obvious that Handwriting E was written by former president Carter, because it is rhythmical, simplified in style, and highly legible and consistent, it should be obvious that graphological interpretations are often based on common sense and logical deductions.

Likewise, if it was all too obvious to

GRAPHOLOGY

(continued from p.18)

Whiting, addressing the Industrial Relations Management Association at a recent convention in Harrison Hot Springs, B.C., outlined the benefits for personnel managers supplementing their usual methods with a graphology service.

Gives insights

"Many employers admit it's virtually impossible to get more than an intuitive impression of job applicants from interviews," she said. "Handwriting analysis is a tool used in conjunction with other factors. The analyst can give employers invaluable insights into the applicant's motivation, emotional make-up and general suitability for a position."

Whiting lists the personality traits most companies look for in the hiring process as: temperament, attitude, experience, appearance, intelligence, communication skills, personal background, adaptability, motivation and ambition, initiative, ability, motivation, and ambition, initiative, performance and poise.

"Only two of these--experience and personal background--are not detectable through handwriting analysis," she says. "It's a tool which, used in conjunction with other methods, creates a total picture of employees."

A trained analyst can determine the extent of a candidate's executive ability, basic intellect, emotional stability, physical health, leadership capabilities, social awareness and money sense, honesty, and maturity to handle decisions. The negative traits revealed to the handwriting expert include dependence on alcohol, drugs and sex, stubbornness, temper, pettiness, domination and self-concern.

Whiting herself has conducted a five-year survey of 30 companies using graphology. At the end of that time, all had increased their employee retention rate by 28 per cent. Staff retention before the use of graphology averaged 54 per cent, and after the test period, 82 per cent.

Non-discriminatory

"A professional handwriting analyst looks at more than 2,000 factors in the analytical process," Whiting explains. "And because handwriting cannot reveal age, sex or ethnic background, it has been ruled in the U.S. as non-discriminatory." (A claim that analysis was an invasion of privacy was also ruled against.)

How does it work? There are a number of explanations, according to graphologist and psychologist Harry Teltacher of New Jersey.

"When you write, you're not interested in the way it looks--you're interested in content. Since your attention is completely focused on what you want to write, the unconscious is free to express itself. Impulses are conceived in the cortex of the brain, and relayed by the nervous system to the finger muscles. The hand merely holds the pen. So what's on paper is often considered 'brain-writing' rather than handwriting."

Analysis is best done with two or more samples of at least one page each, preferably written at different times.

"Writing changes according to mood, health and the purpose of communication," says Whiting. "Two samples are the minimum requirement to make a thorough character analysis."

The study of handwriting is taught in many European colleges and universities but hasn't broken the educational barriers in the United States yet.

Trying for colleges

"Hopefully we'll get graphology into colleges so that we can obtain degrees and eventually major in the subject," says Whiting.

Until then, graphologists are trained through specialty courses, and analysts direct their studies to such fields as personnel-vocational work, counselling and legal aspects such as questioned documents for court rulings.

Whiting works extensively with legal departments in the U.S.; teaches, is author of *Traitmatch, Discovering the Occupational Personality Through Handwriting*, and is president of the Council of Graphological Societies and board member of the American Handwriting Analysis Foundation.

Why are Canadian businesses slow to accept graphology? Reasons vary, according to Thomas Wigston, member of the AHAF's B.C. chapter.

"Canadian businesses don't want to be first," he feels. "They'll wait until more U.S. firms are committed. The idea isn't coming from a recognized business source, and therefore is suspect."

He suggests, also, that because the majority of graphologists are women, it's more difficult for them to convince businessmen of the economic savings available.

However, Wigston (a fully trained graphologist) believes Canadian companies will eventually incorporate handwriting analysis into hiring techniques.

About the Author

Andrea McNichol has her B.A. and teaching credential from the University of California (Berkeley), and a two year education in the field of graphology in France and Germany, she then did eight years of intensive research in the U.S. designed to prove the validity and potential usefulness of handwriting analysis, for herself, and also to increase her knowledge and expertise in the field.

She published the results of her investigations in 1978 in a report entitled, *Advanced Studies in Graphology* and her second book, *Brain Prints* is in the process of being published. She designed and taught the first college level course to be offered in the western U.S., on an acclaimed U. of C. campus (UCLA). Because this class drew continuously high enrollments, and received outstanding evaluation, McNichol now teaches her course on four of the university's campuses, on a year round basis.

McNichol has appeared in numerous interviews with radio and television hosts, and lectured for countless business gatherings. *



N A C D S

ADMINISTRATIVE/ OPERATIONS CONFERENCE

TUESDAY
NOVEMBER 19, 1985
(continued)

Time	Key	Event/Topic
		Gerald L. Wolken President SuperRx Drugs Corporation
		Moderator Thomas R. Kully Investment Research Analyst William Blair & Co.
9:30 a.m.-12:15 p.m.		TRACK SESSIONS
9:30 a.m.-10:30 a.m.	F	"Current Approaches to Risk Management" Craig Ames Walgreen Company (Bayside B)
	L	"Graphology" Andrea McNichol Graphology Consultants International (Aurora)
	M	"The Other UCS—State of the Art" William E. Shultz Computer Identics Corporation (St. Charles A)
9:30 a.m.-12:15 p.m.	H/O	"Stress Management" Dr. Steven Douglas (Bayside A)
10:30 a.m.-11:00 a.m.	A	COFFEE BREAK

A—all participants, F—financial executives, H—human resource executives, L—loss prevention executives, M—management information services executives, O—operation executives

Tomi Ryan Fee: \$25
Materials fee: \$14 payable to instructor

2053 FOOD PROCESSOR MAGIC

You can do more than slice, dice and chop in less time by using a food processor. Make bread in 90 seconds, noodles in 30 seconds, homemade peanut butter without preservatives, fast salads and soups and a perfect pie crust every time. Make life easier; learn the correct method.

1 Sat. 9:00 a.m.-1 p.m. Sept. 28
Tomi Ryan Fee: \$25

Materials fee: \$4 payable to instructor

2054 HERBS AND SPICES COOKING

The secret to successful cooking is to use herbs and spices correctly. It not only enhances the flavor, but can change the entire nationality of the dish. It helps to fill in the lost flavor of low-salt diets. In only two classes you will not only taste each herb and spice in a meal but will learn something of the origin, folklore, the variety of their uses and experience the taste and smell of each. It will open up a new, exciting culinary world for you. Perfect timing for the Holidays.

1 Sat. 9:30 a.m.-3:30 p.m. Nov. 23
Tomi Ryan Fee: \$20

(Materials fee \$4 payable to instructor, lunch included)

Tomi Ryan is a well-known food expert, who has made many television, radio and personal appearances.

2055 INTERNATIONAL GOOD COOKING NATURALLY: THEME — MIDDLE EASTERN FOOD PARTY

Just in time for your holiday entertaining, a glorious vegetarian buffet that can be made ahead of time, is inexpensive, and will amaze guests and family alike. A hands-on experience, we will prepare: Humos; stuffed grape leaves, tofu spinach borekas, falafel, tabboli, and baklava. We eat what we cook.

1 Sun. Noon-4 p.m. Oct. 20
Marcia Zelnik Fee: \$23

Materials Fee: \$5 payable to instructor

2056 INTERNATIONAL GOOD COOKING NATURALLY: THEME — HOLIDAY COOKING

A wonderful selection of recipes for your Thanksgiving, Hanukah, and Christmas tables using whole vegetarian foods and natural sweeteners. A hands-on experience, we will prepare: Tempeh turkey with wild rice stuffing; carrot cornbread; mock chopped liver pate; wild mountain potato latkes; pumpkin and mince-no-meat pies. We eat what we cook.

1 Sun. Noon-4 p.m. Nov. 17
Marcia Zelnik Fee: \$23

Materials Fee: \$5 payable to instructor



2060 DOG OBEDIENCE TRAINING

The training method is gentle, using praise and collar for corrections. Dogs accepted from 4 months of age and older. "Come," "Sit," "Stay," "Down" — are the basics of canine obedience, and the trained dog can be expected to follow these commands and other simple instructions both on and off a leash. Learn to communicate a request to your dog. Taught by the owners of San-Mar Dog Obedience School. First night is lecture, do not bring your dog.

8 Tues. 7:30-9 p.m. Oct. 8-Nov. 26
Jennie Maze, Recreation Office, East Lawn Fee: \$40

2061 ESTATE PLANNING

Learn how to lower probate costs, minimize inheritance taxes, and invest wisely. Topics covered will include: objectives of estate planning, wills and trusts, ways of holding title insurance, pension plans, investments, and general tax laws.

1 Sat. 9 a.m.-4 p.m. Nov. 2
Charles-Terry Goldstein Fee: \$30

2062 FINANCIAL PLANNING: A CONSUMER'S APPROACH

A concise, one-day seminar on personal financial planning conducted by an experienced Certified Financial Planner. Ideas to help you create wealth, increase your current income, and reduce your income tax will be presented in practical, non-technical language. Proven methods for protecting your estate from taxes and legal fees will also be discussed. This is a must for anyone who desires to improve his or her financial situation.

1 Sat. 9 a.m.-1 p.m. Oct. 19
Pat Scull Fee: \$20

course, *not a writing course*, but you may want to bring copies of your work for critique from a salability viewpoint. A comprehensive outline/workbook provides an agenda for the session and becomes an individualized guide for your future successful efforts.

1 Sat. 9 a.m.-4 p.m. Oct. 19
Sol H. Marshall Fee: \$20

Materials fee \$10 (payable to instructor)

2068 THE FRENCH EXPERIENCE: CULTURE & CONVERSATION

Are you interested in traveling to France? Would you like to know more about French life? Then enjoy "The French Experience" and learn French at the same time.

6 Wed. 7-9 p.m. Oct. 16-Nov. 20
Karen Harrington, M.A. Fee: \$35

2069 GRAPHOLOGY: THE STUDY OF HANDWRITING

Handwriting analysis is increasingly employed as a tool for gaining insight into human character. It has been used by Personnel Departments in hiring as well as by physicians, psychologists and attorneys to assess illness, personality traits or criminal tendencies. Explore the folk language of handwriting, doodling, etc. — the significance of loops, sizing, thrusts and pressures as indications of emotions, moods, abilities, intelligence, aspirations, attitudes and drives. *Enrollment deadline is October 4.*

Andrea McNichol, M.A. has been an instructor of Graphology at 5 UC campuses for the last 11 yrs. She is the founder and president of the L.A. based firm, Graphology Consultants International, specializing in personality assessment and examination of questioned documents for businesses and law enforcement agencies. She has authored two books and several feature articles for major publications. She has lectured throughout the U.S. and Mexico and has received world wide recognition in the media including *Time Magazine* and the *Johnny Carson Show*.

5 Mon. 7-10 p.m. (No class 11/11 & 11/18) Oct. 14-Nov. 25
Andrea McNichol Fee: \$35

2070 HELPING PEOPLE UNDERSTAND YOU

This course is largely experiential, placing great emphasis on communication skills so that you can "get more of what you want" within an intimate and caring atmosphere. As you become more familiar with the way you transact with others, you can learn to use the communication tools to enhance your life in a positive way. (This is not a lecture class.) This class will be held off campus.

6 Wed. 10 a.m.-12 noon Oct. 9-Nov. 13
Phyllis Abrams, Ph.D., M.F.C.C. Fee: \$36

ice officer with the City of Plainfield, New Jersey, ring as a Lieutenant in 1978. During his service, he eived numerous awards and citations. He earned his helor of Science from Trenton State College in Law- ceville, New Jersey.

. Mallon is a member of ASIS with the Central New ey Chapter and serves as Chairman as well as partic- ing on the Standing Committee for Standards and des. (Session Ab-06)

TRICIA C. MANION, CPP, is with Xerox Corporation Stamford, Connecticut. During her 23 years of experi- ce in the security field, she has held management posi- ns with the Federal Energy Administration and the nning Research Corporation. She attended the Uni- sity of California in Los Angeles and St. Mary's in San tonio, Texas as well as the U.S. Army Intelligence ool and the Defense Industrial Security Institute.

s. Manion is a member of ASIS and has served in rious offices on both the local and national level. She rrently serves on the ASIS Board of Directors and in pacity is co-chairman of the International Affairs Com- ttee and served as Regional Vice President for Region II. Other professional affiliations include the National assification Management Society and the Associated omen Executives. (Session Cb-01)

ONALD MASON is a Fine Arts Consultant who special- es in Art Security for collectors, galleries and museums. eviously he was with the Art Theft Division of the deral Bureau of Investigation in Washington, DC, and tired in 1976 as the Senior Investigator for Art Crimes. e received his Masters in education from New York niversity.

r. Mason lectures at various institutions on the topic art theft. He is an ASIS member and serves as the hairman for the Standing Committee on Museum, brary and Archive Security. (Session Ca-05)

ILLIAM E. McKELDIN is President of McKeldin As- ciates of West Chester, Pennsylvania. Prior to this posi- on, he served as Vice President of the consulting firm Val Bradley Associates following 20 years of specializa- on in the area of employee relations with several major ompanies. He is a graduate of Temple University with Bachelor of Science in business administration and is rrently working towards his Masters from the same nstitution.

fr. McKeldin has authored several articles on the topics f management and employee relations and has received ecognition for his work in these areas. He is a member f the American Association of Management Consultants. (Session Ba-06)

ICHAEL D. McNAMARA is Assistant Vice President nd Security Officer for Hartford National Bank & Trust ompany in Hartford, Connecticut. His previous ex- erience has been in the areas of security management nd law enforcement. He attended American Interna- tional College in Springfield, Massachusetts where he eceived his Bachelor of Arts degree in finance.

Mr. McNamara is a member of ASIS with the Connecti- cut Chapter and currently serves as treasurer. He is also the Vice Chairman of the Standing Committee on Banking and Finance. Other professional affiliations in- clude the International Association of Credit Card Investi- gators and the Connecticut Chiefs of Police Association. (Sessions Ab-03, Ba-03)

ANDREA McNICHOL is Director of Graphology Con- sultants International in Los Angeles, California. She is also an instructor in graphology at the University of California. Previously, she worked as a personnel con- sultant for over 100 companies in California and Mexico. She has attended the University of California at Berkeley, the Sorbonne in Paris, France, and Heidelberg University in Germany.

Ms. McNichol was awarded a grant by the Los Angeles Public School System to utilize graphology in the class- room for learning disabilities. She has written several articles on graphology including "Brain Prints" which appeared in *Self* magazine. (Session Bb-04)

RICHARD McNEECE is President of Hibernia National Bank in New Orleans, Louisiana and also serves on the Board of Directors for Hibernia Corporation. During the past seven years, Mr. McNeece has held several executive positions with this firm following his work as Assistant to the President of Cameron Financial Corporation's Loan Administration Division in Charlotte, North Carolina.

Mr. McNeece received his Bachelor of Arts degree in busi- ness administration with a concentration in finance from the University of Florida in Gainesville. He earned his Masters degree in finance from the same institution. He is a member of the American Bankers Association. (Key- note Speaker)

BORIS F. MELNIKOFF, CPP, is the Vice President and Corporate Director of Security for the First Atlanta Cor- poration in Atlanta, Georgia. His past experience includes thirteen years in banking security and ten years in the field of industrial security. He is a graduate of the Uni- versity of New Haven and Southern Connecticut State College. He has published several articles including "Bank Robberies" which appeared in *Newsweek*.

He has been a member of ASIS since 1967 and served as the Chairman of the Standing Committee on Banking and Finance in 1980. He is currently a member of the ASIS Professional Certification Board. (Sessions Ab-03, Bb-02)

JOHN T. MILLER is Security Specialist for the Defense Investigative Service of the Defense Industrial Security Institute for the Department of Defense in Richmond, Virginia. Previously, he was a consultant for the Office of the Secretary of Defense in Washington, DC. He attended Williams College in Williamstown, Massachu- setts, receiving his Bachelor of Arts and Yale University in New Haven, Connecticut, receiving his Ph.D. (Session Ba-08)

GEORGE MOORE, CPP, is an Associate Professor and Program Head for Northern Virginia Community Col- lege in Woodbridge, Virginia. He has been in the field

AGENDA

MONDAY, OCTOBER 22

7:45-8:45 AM Registration at Door and Coffee
8:45-9:00 AM Opening Remarks
9:00-10:15 AM GRAPHOLOGY AS AN INVESTIGATIVE TOOL
Andrea McNichol
Graphology Consultants Int'l
Los Angeles, CA
10:15-10:30 AM Break
10:30-11:45 AM GRAPHOLOGY AS AN INVESTIGATIVE TOOL (Cont'd)
11:45-1:30 PM Lunch Break
1:30-3:15 PM GRAPHOLOGY AS AN INVESTIGATIVE TOOL (Cont'd)
3:15-3:30 PM Break
3:30-4:30 PM GRAPHOLOGY AS AN INVESTIGATIVE TOOL (Cont'd)
4:30-5:00 PM QUESTIONS & ANSWERS
CLOSE OF FIRST DAY SESSION
5:00-7:00 PM HOSTED COCKTAIL PARTY
ASIS HOSPITALITY SUITE

TUESDAY, OCTOBER 23

8:00-8:15 AM Opening Remarks
8:15-10:15 AM INTERVIEWING AND INTERROGATION WORKSHOP
Joseph Buckley
John E. Reid & Associates
Chicago, IL
10:15-10:30 AM Break
10:30-11:45 AM INTERVIEWING AND INTERROGATION WORKSHOP (Cont'd)
11:45-1:30 PM Luncheon Break
1:30-3:15 PM INTERVIEWING AND INTERROGATION WORKSHOP (Cont'd)
3:15-3:30 PM Break
3:30-4:30 PM INTERVIEWING AND INTERROGATION WORKSHOP (Cont'd)
4:30-5:00 PM QUESTIONS & ANSWERS
CRITIQUE SHEETS
DOOR PRIZE DRAWING
PRESENTATION OF CERTIFICATES OF COMPLETION
5:00 PM Program Close.

REGISTRATION FORM

Please complete this form and mail with your check for \$95 payable to ASIS to:

Dick Moore
Design Security and Communications
P.O. Box 5379
Fresno, CA 93704

Luncheons included; attendees are responsible for their own hotel accommodations. You may call the Fresno Airport Holiday Inn at 209/252-3611 for lodging information. For more information regarding the seminar call 209/229-7365.

NAMES

COMPANY

ADDRESS

BUSINESS PHONE



ANDREA McNICHOL

Ms. McNichol is one of America's foremost handwriting experts. She has her B.A. and teaching credential from the University of California at Berkeley and a two year education in the field of graphology in France and Germany; she then did 8 years of intensive research in the U.S. with

criminologists and psychologists in this area.

She has authored two books on graphology as well as designing and teaching the first college level courses offered in the U.S. on 5 University of California campuses. She has written several acclaimed articles in many international journals, appeared on numerous radio and television programs and lectured around the U.S. and Mexico.

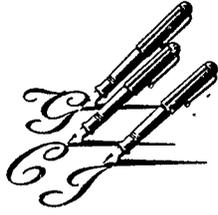
She is the founder and director of the Los Angeles based firm, Graphology Consultants International.



JOSEPH P. BUCKLEY, III

Joseph P. Buckley, III, is the President of John E. Reid & Associates in Chicago, Illinois. He has 14 years of experience as a polygraph examiner and has authored several articles for professional journals on areas of polygraph and interrogation tactics. He received his Bachelors from Loyola University in Chicago and a Masters in Detection of Deception from Reid College.

Mr. Buckley joined ASIS in 1980. He is a member of the ASIS National Standing Committee on Investigations. Furthermore, he is President of the Illinois Polygraph Society, a member and Past President of the American Polygraph Association and a member of the Special Agents Assoc.



Graphology Consultants International

The Journal of Commerce AND COMMERCIAL

NEW YORK, MONDAY, SEPTEMBER 15, 1980

Shipper Uses Novel Approach to Loss Prevention *Handwriting Analysis Employed to Screen Workers*

By CHRIS BARNETT
Journal of Commerce Special

LOS ANGELES — The president of the Long Beach Automobile Accessory Manufacturing firm was distraught. Full truckloads of merchandise, worth \$75,000, were leaving his plant for the port nearby and arriving short — sometimes \$10,000 short.

The draying company insisted its security was not breached. The manufacturing concern suspected the theft was internal. Its production and distribution people were largely illegal aliens as is frequently the case in certain Southern California industries.

And with undocumented workers, there is no way to check references or call previous employers.

Instead of bringing in a polygraph specialist and risk upsetting the morale and productivity of the entire company or rather than plant a security specialist in the production department, the chief executive turned to a managerial tool long popular in Europe but little used in the United States — graphology otherwise known as handwriting analysis.

He hired Andrea McNichol, head of Graphology Consultants International of Los Angeles. But instead of using her as a consultant working on the outside, she was placed inside as a personnel officer.

"Things were a mess," Ms. McNichol recalls. "The president did not know if the losses were originating in the front office with wrong tallies listed on the shipping documentation or incorrect computer input, whether the losses were going out the back door, or a combination of all three."

Ms. McNichol started by obtaining a handwriting sample of 21 managerial and supervisory employees and of 29 other staffers working in key production posts. The samples were taken from their job applications, internal notes or any hand written communicate that contained more than just a signature.

One Found Dishonest

Ms. McNichol prepared 50 separate employee analyses and found that only one person, a salesman, who had been with the company for many years, "came out very dishonest."

"Dishonesty is the most well-documented characteristic (using graphoanalysis) of a person's handwriting," says the GCI official. Ms. McNichol, who spent two years testing graphoanalysis at four different California penal institutions, says the dishonest person "deviates from conventional writing style."

"He makes up his own writing rules," she explains. "Suddenly makes wild curly strokes in his writing, draws pictures, shows instability in the direction and size of the letters. The more defiant person will not set up unorthodox margins for himself or he will weave in and out of them."

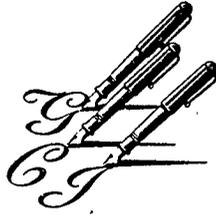
Once identified, the manufacturing concern retained a security firm to watch the salesman. Within a few days, she maintains, he tipped his hand. "He was stupid enough to meet one of the interline drivers (who drayed the auto accessories to the port) out on the dock. Now what would a salesman be doing at the port talking to the driver?"

According to Ms. McNichol, the salesman had been a friend of the company president and was only ordered to

(Continued)

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Graphology Consultants International

THE JOURNAL OF COMMERCE, Monday, September 15, 1980

make restitution, but was not prosecuted in court. He was, however, fired. Now, all of the company's potential employees must undergo handwriting analysis by GCI before they are hired.

According to the U.S. Department of Commerce, an estimated \$90 billion a year is lost by American business through employee crime. Another \$180 billion is estimated loss in employee crimes that go unreported. In addition, Commerce Department figures U.S. business spends \$50 billion on various security measures to fight internal crime.

And nowhere, says Ms McNichol, is employee crime more prevalent than in transportation industry where values are high, temptations are great and opportunity for loss "abound at every turn of the distribution channel."

Whats more, she adds, loss from thievery is only part of the picture. Drug and alcohol abuse and emotional disturbances hurt the productivity of 10 to 15 percent of the nation's work force, according to the

U.S. Department of Health, Education and Welfare and the National Council on Alcoholism. And that does not account for losses due to employee incompetence, says Ms. McNichol.

Graphoanalysis, used as a primary employee evaluation tool, can attack these industrial ills more efficiently and cost effectively than personality tests, polygraphs and in-depth interviews, she contends.

"Appearance and personality in an interview are usually the determining factors, assuming the candidate has a resume that meets the basic qualification," says Ms. McNichol. "But what you cannot ascertain in an interview is the basic personality characteristics that are going to make or break that person on the job.

"Intelligence, honesty, drive and personal self image will all show up in graphoanalysis, but it will also show emotional stability whether the person is a chronic drug or alcohol user."

Widely Used in Europe

While the FBI and CIA use graphoanalysis in their investigative work, Ms. McNichol concedes that only in the last 10 years has U.S. business started to look at a person's handwriting, although European industrial concerns have been doing it for 70 years.

"We have an education process to go through in the United States.

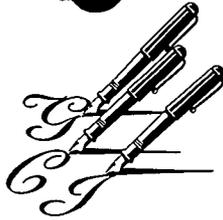
Part of the problem stems from the fact there is no formal training in graphoanalysis in the United States.

After Ms. McNichol received her B.A. and teaching credentials from the University of California, she had to go to Europe for graduate work in graphology, studying the discipline at the Sorbonne and University of Heidelberg.

Although graphoanalysis is used by General Electric, Equitable Life Assurance, some divisions of General Motors, International Harvester and U.S. Steel, Ms. McNichol thinks long-haul transportation companies would be well advised to employ it in several key areas.

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Graphology Consultants International

Referrals and comments

"Of the people I hired, utilizing graphological assessments, taught to me by Andrea McNichol, 100% of them fit into the department, were right for their jobs, and became long-term and motivated employees. I have no doubt that the use of graphology in our hiring decisions was a major factor leading to our becoming a showcase word processing center of national acclaim."

Leslie Petrovich

Assistant Vice President
California Federal Savings and Loan, Los Angeles, CA
(213) 999-6201

"We first contacted GCI because we were having a costly and demoralizing problem with internal employee thefts. GCI led to our quickly recovering over \$30,000.00 in stolen diamonds by telling us which employees to watch. We now have all prospective employees screened by GCI and have seen our turnover rate drop substantially, our sales increase dramatically and have not sustained a single theft, in a year's time, by any of our employees selected by GCI."

Bruce Lawrence

Operations Manager
John Crandall Jewelers, Buena Park, CA
(213) 538-3697

"The graphology training which Andrea McNichol has given me has helped in many areas in my position as Operations Officer of South Coast Bank. It has helped tremendously in hiring employees who are suitable to the job as well as compatible with the other employees. Another area where this training has been extremely valuable is in the detection of possible forgeries and dishonesty; knowing what to look for in these areas is more than half the battle."

Ruth Thomas

Operations Officer
South Coast Bank, Costa Mesa, CA
(714) 979-7350

"I find that graphology has been much more useful to me professionally than the standard accepted psychological tests, the results of which are often more indicative of the personality of the psychologist than of the client. After nine years of working with juvenile and adult offenders, I find the insight furnished through graphological evaluations to be indispensable in determining the readiness of each client in becoming productive members of society. Graphology also assists me in finding the underlying causes of the individual's behavioral problems which then provides the basis of his or her therapy. The success I achieved in my work by using graphology led to the entire department requesting GCI to train them in the use of graphology in probation work."

Carol Libby

Senior Deputy Probation Officer, Alameda County, CA
(415) 527-0634

Specializing in Personality Assessment

8033 Sunset Blvd., Suite 432, Los Angeles, CA 90046 (213) 656-6802

"We have been using the services of Andrea McNichol and GCI for the last three years and have experienced remarkable results. The information we obtain from this service allows us to effectively determine the ability and integrity of our future employees, and of those with whom we contemplate entering into a business relationship or contractual arrangement. GCI is quick, reliable and their accuracy has saved us an infinite amount of trouble and dollars."

David Lawrence
Lawrence Research, Glendale, CA
(213) 240-5468

"Andrea, I have attended many seminars, workshops and training sessions dealing with a wide variety of subjects. By far, your workshop last weekend was more informative than usual and would have been a bargain at twice the price."

Judy Wisecarver
Graphoanalyst, Walnut Creek, CA
(415) 935-7637

"GCI, the tapes you prepared for us were nothing short of astounding and proved amazingly accurate. We thoroughly enjoyed listening to them while also being able to learn something about this fascinating field of graphology. We have already profited by your expertise. Thank you."

Kellard-Baron Designs
Westwood, CA
(213) 824-9851

"I have used the graphological services of Andrea McNichol and GCI in the screening and hiring of the personnel in my dental practice for several years. It never ceases to amaze me how accurate the analyses are, particularly regarding such traits as honesty, probable longevity of employment, quickness of thinking and the emotional stability of the applicants. In addition to the obvious financial benefits, the ordinarily tremendous amount of time consumed in screening key personnel is greatly reduced by the remarkable insight that I am able to ascertain through the analysis of the applicant's handwriting."

Robert D. Abeloff, D.D.S.
Beverly Hills, CA
(213) 275-2220

Additional references

Nathaniel Lande
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Beverly Hills, CA
(213) 654-9004

Dr. Luigi Gentile
Bone Specialist
No. Hollywood, CA
(213) 985-7511

Mary Leone
Personnel Officer
Air California Airlines
(714) 752-7000

Dr. Carol Thompson
University of Calif./Berkeley
(415) 666-3291

Gustavo Ramirez
Director General
Grupo Contelmex
Mexico City, Mexico
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Wallace E. Jeffs
President
Assoc. Administrators
& Consultants
Irvine, CA
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Psychologist
Beverly Hills, CA
(213) 553-6191

Dr. Carol Olson
University of Calif./Irvine
(714) 833-5192

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CLOSEUP

**HANDWRITING ANALYSIS
AS A SECURITY TOOL**

Part Two of a Two-Part Article

Is a lie discernible in a handwritten statement? If you know what to look for, it often is, say graphologists.

In telling an untruth, an investigative subject causes psychological stress within himself. The stress produces momentary changes in his physical functioning. Just as these changes may leave their mark on a polygraph readout, they may also leave their mark on the paper in a suspect's written denial of guilt.

That does not mean that a graphologist's opinion is likely to be accepted in court as unsupported proof of anything. No court will convict a defendant on a handwriting analyst's say-so. In fact, not all courts may even admit handwriting analysis into evidence.

Nevertheless, graphology is playing an increasing role in criminal investigation. In a number of cases, the security officials of corporations victimized by theft have brought in graphologists to study the written statements of employees. As one analyst says, "I can't tell a company, 'It's definitely Joe X and Tom Y who have been stealing from you.' But I can say, 'The statements of Joe X and Tom Y show evidence of unusual nervousness and stress. If I were you, I would intensify my investigation and interrogation of those two employees.'"

Thus, handwriting analysis doesn't prove, it sug-

gests. It points the way toward further lines of investigation that seem likely to be fruitful.

Father Norman Werling, the graphologist and Carmelite priest from Paramus, New Jersey, was asked by a Connecticut gasoline retailer to look into a possible credit card swindle involving the retailer's employees. By looking at writing samples of several employees, Werling developed a profile of one person, persuading a judge to issue a search warrant. Sure enough, police found the evidence needed to charge the man and bring him to trial.

What do graphologists look for as indicators of psychological stress in a writing sample? Andrea McNichol, director of Graphology Consultants International, in Los Angeles, says that the first thing to look for is a sudden increase in space between words or between lines. If most of a subject's writing looks like this ...

I entered the office at 8 a

... but one line looks like this ...

not near the safe, or

... then it's a fair bet that something unusual was

going on within the subject while he wrote the words "not near the safe." The spacing is different, which probably means that his psychological state at that moment was different. Was he lying? A path for further inquiry is revealed.

Any kind of uncharacteristic change in the writing may signal a stress point, says McNichol—not only a change in spacing but in slant, size, base line level, style, margin use, pressure, speed, or connectedness. Another indicator may be any kind of error or mess: for example, uncharacteristic misspelling, cross-outs, writeovers, illegibility, or retouching of letters.

It was that last principle—isolated error or mess—that gave McNichol a crucial lead in one case. A drugstore chain engaged her to help in the investigation of a sizeable theft of money from one of its stores. The chain's security manager obtained, from each of the 16 employees who had been on duty, a handwritten statement regarding his or her knowledge of the crime along with a statement of guilt or innocence. All claimed innocence. The manager turned the statements over to McNichol. She pored over them at length, comparing, checking and cross-checking, testing out hypotheses. She was able finally to point out a key detail to the security manager and police investigators. The employees, naturally, mentioned one another by name in their statements. There was one employee the thought of whom seemed to be giving several other employees trouble. His name was misspelled in one statement, semilegible in another, written over in another. McNichol recommended that the investigation should concentrate on those several employees whose statements showed these aberrations—and particularly on the one employee whose name was giving his co-workers the jumps. The investigators pressed that angle and broke the case. The theft turned out to have been the product of a conspiracy among the employees McNichol had singled out. The ringleader, of course, was the worker with the often-botched name.

Personnel Screening

Criminal investigation is one area in which handwriting analysis may help Security. Another, as discussed in the previous *Security Closeup*, is the evaluation of job applicants. Graphologists say that, in the hands of a skilled practitioner of their specialty, a handwriting sample becomes a personality

profile. Do we want to hire this person? What is he like? Is he honest? Is he loyal? What are his quirks, aptitudes, strengths? Does he have the right temperament for the job? A competent graphologist can infer the answers from a writing sample, say members of the profession.

Felix Klein, president of Manhattan Handwriting Consultant, in New York, has analyzed handwriting samples from over 1,000 job candidates, sent to him from personnel offices. He says: "We use whole figures of letters to analyze a person. There are three zones to a handwritten letter of the alphabet. The upper third signifies your belief; the middle third your habits; and the bottom third your ambitions in such areas as sex and money."

The way a person emphasizes each zone explains something about his or her personality. Klein looks for a "gestalt," or whole picture, by considering such factors as the subject's speed of writing, whether the subject has left letters open or systematically closed them, and whether the subject has used unnecessary strokes to complete the letters. A single indicator, if taken out of context, offers Klein little significance.

While stressing the importance of the gestalt, or whole writing, Klein does acknowledge that certain tendencies can suggest particular characteristics. "If I were hiring a security guard," he says, "I would be very careful if I found examples of the 'cover stroke.' That stroke is an upstroke and downstroke in which the pen is not lifted off the paper; it sometimes indicates a tendency to hide things or 'cover up.'" (*Ed. note: Here is a word in which the final letter, "t" is written with a cover stroke.*)

indire D

Klein continues: "Fast handwriting would probably be a good sign in hiring security personnel. Slowness in writing is typical of violent criminals. Their handwriting is usually very deliberate."

Slow handwriting sometimes forms letters that are narrow; more time is required to form narrow letters than wide ones. A poor-risk candidate for a security job might form the lowercase letter "a" with an opening at the bottom. "That writer is leaving a way out for himself," says Klein, "and the way out is through the bottom. A very bad sign."

Klein stresses the point that, taken alone, none of these traits can be taken as proof positive of any-

thing. "But if you have four traits or more that all point to the same conclusion, the success ratio is nearly 100 percent in terms of accurate predictions."

Handwriting analysts often ask that a description of the nature, scope, and demands of the job under consideration be included with the handwriting sample of the candidate. That gives them a better idea of what particular parameters of the candidate's personality are important and need to be assessed. They also like to know the applicant's sex and approximate age and whether the applicant is right-handed or left-handed.

Evaluating a Job Candidate

Andrea McNichol says that seven questions are usually of major concern to employers: (1) Is the job applicant emotionally stable and reliable? (2) Is he intelligent? (3) Are his aptitudes suited to the job? (4) Is he hard-working and self-motivated? (5) Is he honest? (6) Is he a drug or alcohol abuser? (7) Is he in good health?

Reliability and emotional stability: If a person is stable, his writing is likely to be stable, too, says McNichol. For example, the slant of the letters will probably be consistent, like this ...

Letters lean in the same direction.

... not like this:

Letters flop around in all directions

The *size* of letters is also likely to remain consistent, like this ...

size remains constant

... rather than this:

The size changes

In addition, the writing of a stable person is likely to be legible, evenly spaced, consistent in style, neither unusually large nor unusually small, and generally free of misplaced capitals, bizarre shapes, and tangled lines or letters.

Intelligence: A graphologist might question the intelligence of someone whose handwriting is unusually stylized or whose letter shapes are *rounder* than normal. Both methods of writing are slow; the writer may be slow too. Writing in which letter-size increases toward the end of each word is also suspect. And, as common sense suggests, the writing of people with satisfactory intelligence tends to show reasonable attention to spelling, grammar, punctuation, spacing, letter formation, and other standard hallmarks of "correctness."

One or two cautions should be sounded here. A reader may think, *Omigosh, I have trouble with spelling! Would a handwriting analyst conclude that I'm stupid?* The answer, according to McNichol, is no. Graphologists don't normally seize on single features as being significant. They look for combinations, or constellations, of features. For example, misspelling *plus* obvious slowness of writing *plus* oversized word-endings might lead an analyst to question the writer's intelligence. Misspelling alone probably would not.

This explains why graphologists need a fairly extensive sample of a subject's writing—usually a page or more—to perform an analysis. It takes a certain length in a sample for tendencies and combinations of characteristics to become evident. Many graphologists also insist that a writing sample be one that the subject knows will be read by someone. Writing that the subject has done purely for himself (a reminder note or grocery list, for instance) is useless, they say. People misspell, malform letters, and use all sorts of other shortcuts and aberrations when they write just for themselves. Nothing can be reliably inferred from such samples.

Job aptitudes: McNichol notes that it's easy for an employer to determine whether an applicant has the formal, external qualifications for a position—the training, the degree, the experience, whatever. What's not so easy is for an employer to predict whether an applicant has the right *internal* qualifications—the temperament, the personality, the aptitude. That's where handwriting analysis can help.

For example, says McNichol, an applicant for a sales job should ideally be aggressive, extroverted, self-confident, bold. Which applicant looks better suited, this one ...

S. Michael Peters

... or this one?

I, Lou Brown

The second one, obviously! The personal pronoun "I" is hefty and insistent. The writing bulks large, claiming space on the paper. The first sample looks as though it belongs to someone too timid to ask a restaurant waiter for a glass of water.

By looking at various features of a sample, graphologists can deliver opinions on a candidate's fitness for jobs requiring sensitivity; or communication ability; or attention to detail; or speed, or leadership, or original thinking, or any of a number of other aptitudes.

Drive and motivation: Graphologists look for strong and consistent horizontal movement, medium to heavy pressure, consistency in style, rightward movement on the paper, existence of angles and assertive strokes, a bold or prominent signature, and rhythmical writing, among other earmarks of motivated persons.

Honesty: Perhaps nothing about graphology is more fascinating than its assessment of honesty and dishonesty in subjects. Over time, graphologists have learned empirically that there's high correlation between the appearance of certain features in writing and the existence of deceit, guilt, sneakiness, dishonesty in the writer. Identifying a subject as predominantly honest is largely a matter, for graphologists, of verifying the *absence* of these features in his writing.

One such feature, as noted earlier by Felix Klein, is the "cover stroke." Another, according to Andrea McNichol, is the "felon's claw" (the upthrusting arch-stroke indicated by arrows here).

I am guilty

For some reason, McNichol says, there's strong linkage between the claw stroke and personal guilt-

iness. Another warning sign is the "stabbed oval" as in the "o's" here.

ovals stabbed a lot

Does the stab denote a tendency to conceal things within an outer shell of appearance? The answer is arguable, but, as McNichol asserts, the correlation between it and dishonesty is known.

Overly stylized or ornate writing may denote a bluffer or con artist. Frequent omissions—of words, letters, or pieces of letters—are often associated with deviousness by way of omission. Continuous retouching or altering of letter shapes can betray an anxiety to alter facts, cover one's tracks. A signature totally different in style from the rest of a writing sample may be associated with hypocrisy.

Health problems, drug or alcohol abuse: "Basically," says McNichol, "any handwriting that is not smooth, flowing, and even may denote someone who is not physically well, even if mental anxiety, drugs, or alcohol are the cause. Thus, graphologists suspect any handwriting which looks abnormal or contains unnatural breaks in letters raggedness of strokes, tremors, unusual indentations, faltering pressure, continuous mistakes, or lack of smoothness and rhythm."

An Aid for You?

If you're interested in exploring ways that handwriting analysis might aid your security program, and in getting the names of qualified analysts in your vicinity, you can query one or more of the professional associations in the field. Here are two:

American Association of Handwriting Analysts,
1115 W. Cossitt Avenue, LaGrange, IL 60525.
Phone (312) 354-0530.

International Graphoanalysis Society, 111 N.
Canal Street, Chicago, IL 60606. Phone (312)
930-9446.

SEARCHED _____ INDEXED _____
SERIALIZED *AK* FILED _____

MAY 1 - 1933

FBI - SAN FRANCISCO



44A-2373-111

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CORD: Image Marred by Charges of R

n Page 1

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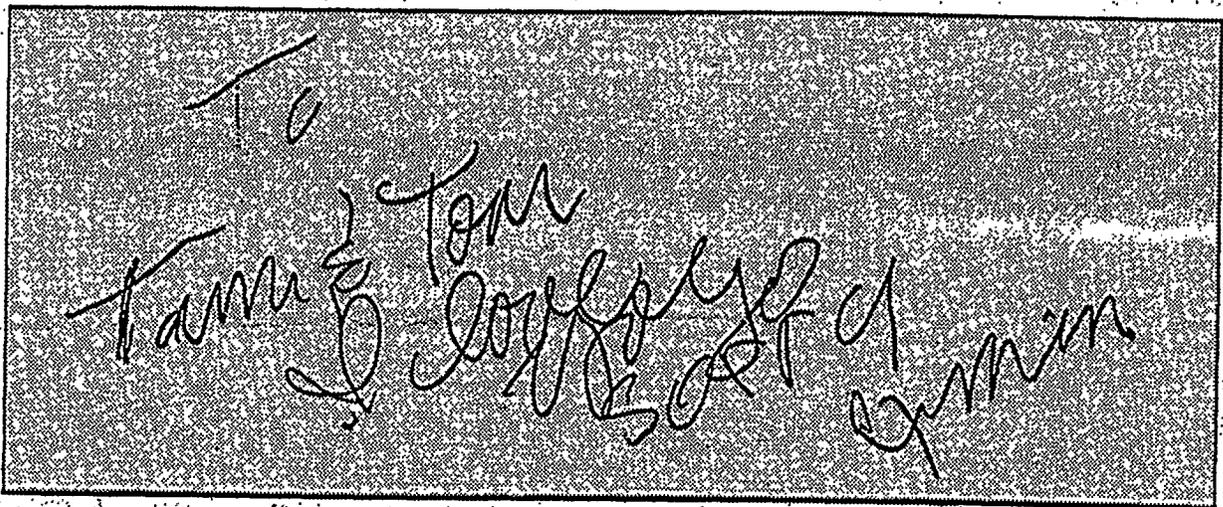
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Note that was found near the body of Timothy Lee; misspellings are seen by family as clues.

Friends speculate that after leaving work, Lee visited several bars in town, a position supported by the .13% level of alcohol later found in his blood. (A level of .10% is the legal criterion for "drunk driving.") After socializing for several hours, Lee boarded a BART train for the 15-mile ride home to Berkeley.

On the train, however, he fell asleep and missed his stop. He did not awaken until 1 a.m., when the train reached the end of the line, 25 miles down the track in Concord. He then discovered that he had missed the final train of the night back to Berkeley. He was stranded.

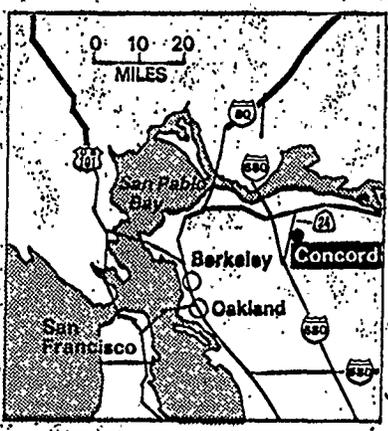
Lee relayed this story to several friends he called in a fruitless attempt to find someone with a car who could pick him up. It was the last time any of them would hear from him.

The coroner's report concluded that Lee died between 6 and 8 a.m. that morning by hanging himself with a black nylon web strap from a rucksack he was carrying.

His jacket was tucked neatly into a crook of the tree, according to a police report. His wallet was found 36 feet away. The rucksack rested at the base of the tree. Nearby was an envelope on which was scrawled a note apparently to Tammy Lynn Lee and Thomas Lee, Timothy Lee's sister and brother.

Curious Spellings

The handwriting has been interpreted various ways; Tammy and Thomas Lee read it this way: "To



Los Angeles Times

NAACP branch in Emeryville, near Berkeley, said she believes the screams were Lee's. She speculated that Lee was abducted by friends of the two klan-garbed assailants, who later hanged him.

"Timothy was a victim of circumstance," she said. "They [the assailant's friends] just saw the kid waiting there. They were fired up, their friends had just been arrested, and they probably said, 'We'll get this one for sure.'"

Police dismiss such speculation. They said errors in the note were probably the result of the irrational mental state of a man about to take his own life. Murder is unlikely, they added, because there is no indication that Lee was knocked unconscious or involved in a struggle before his death.

"If someone tried to hang you," observed Police Detective Tony Costa, "wouldn't you put up a fight?"

the Emeryville office on Jan. 16, four days after it publicly asked the FBI to look into Lee's death.

A woman reportedly called to say she knew a man who belonged to the Ku Klux Klan and was bragging that he had "put a gun to his [Lee's] head and made him write [the suicide] note." The woman, who was not identified, was referred to the FBI, Ashley said.

Any resolution in the case may have to wait for the completion of the FBI's investigation. Bureau spokesman John Holford in San Francisco declined to talk about the investigations of either incident—the Lee hanging and the twin stabbings—except to confirm that both are continuing.

Meanwhile, the controversy over Concord's reputation for racial intolerance also continues.

With the introduction of BART in the mid-1970s, Concord slowly changed from a blue-collar town for workers at nearby military installations into a bedroom community for San Francisco and Oakland office workers.

The arrival of these new affluent residents spurred the city to revitalize its aging downtown area and firm up its tax base by joining in the suburban office boom of the early 1980s.

These changes have made Concord more attractive to people from other parts of the metropolitan area, including minorities. Some here believe that Lee's death was a catalyst that is exposing the friction that resulted.

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Notes to make one happy —

- only here on ^{History}fridays.
- sequence of event are main focus more so than date's them self.
- Get information on Immigration due 2 week.

pare boone notes next week + film for immigration.

idea & theory footnote must be in order —
author. last name first.
check the source roughly 5 page. min.

6-7 channel 9

Feb 1 topic hand in

Copy of
Thomson's
writing

Sub Design Material

1- Positive space - the area in a composition occupied by representation of objects or shapes.

2- Negative space - the empty areas in a composition.

3- Breathing up when there is a break in the positive space & the negative shines through.

- area between positive forms are all negative space.

Am

Copy of
Friday's
writing

KINDLER TEXTILES
reel San Francisco, CA 94107
266

Design & Materials

10/10 6/4/74
neg. & positive

Homework -

Choose three letters/
#s using 12, or all 3 of
them, make an Abstract
composition in which you
compose equally of
positive & neg. shapes



B / CF

English Composition I

Tim Lee

Innovative, overstated, opinionated -
these three words expressly describe

Boy George

Boy's style of dress is very much innovative. Taking oversized shirts, coats, and very baggy pants, Boy tends to cover his figure to create an illusion combined with overstated makeup. Boy George's illusion has become a reality, creating the effect of the female persona with a male voice.

Boy George is not just another fad entertainer. His songs have

25/8

message's that should hit

home to everyone. Taking a

lyric from his hit song that is now climbing the charts, and

War is stupid and people are

stupid and love mean nothing in

some strange corners. Lyric's

like this tend to make a listener

think

With three hit albums that

have gone gold, Boy George's

message must be getting to

some of us.

44A-2373-112

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MAY 12 1986

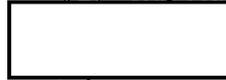


b6
b7C

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MAY 1 1966

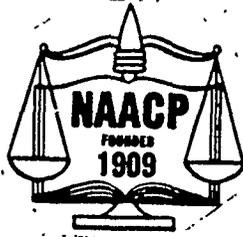
FBI - SAN FRANCISCO



44A-2373-113

b6
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Emeryville



Branch

National Association for the Advancement of Colored People

February 24, 1986



b6
b7C

Re: Timothy Lee Case

Dear 

b6
b7C

Thank You for your input and information on the Timothy Lee case. Your concept coincides with my theory. I also feel that Timothy was forced to write the note.

We are extremely grateful that you will assist us with the case. Your assistance will probably be the determining factor in this case.

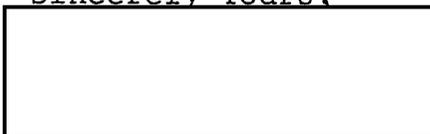
The original note was sent to Washington, D.C. for analysis by the F.B.I. We have inserted a copy for your study. Also enclosed is a short profile on Timothy Lee, copies of his authentic hand writing and two pens found in his back pack after his death.

It will be a pleasure working with you. It will also be up-lifting and rewarding for me.  thank God for people like your self.

b6
b7C

I will continue to furnish you with any data and material that I may receive on Timothy Lee.

Sincerely Yours,



b6
b7C

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SERIALIZED *MA* FILED _____

MAY 1 1936



MA

44A-2373-114

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FBI

TRANSMIT VIA:

- Teletype
- Facsimile
- AIRTEL

PRECEDENCE:

- Immediate
- Priority
- Routine

CLASSIFICATION:

- TOP SECRET
- SECRET
- CONFIDENTIAL
- UNCLAS E F T O
- UNCLAS

Date 3/12/86

TO : SAC, SAN FRANCISCO (44A-2373)

FROM : SAC, LOS ANGELES (44A-5045) (C-2) (RUC)

SUBJECT: UNSUBS;
TIMOTHY CHARLES LEE - VICTIM
CIVIL RIGHTS
OO: San Francisco

Re San Francisco teletype to Los Angeles, dated 3/7/86;
Los Angeles teletype to San Francisco, dated 3/12/86; telephone
calls, dated 3/11/86, 3/11/86 and 3/12/86.

Enclosed for San Francisco are the original FD-302 and



No further investigation is outstanding at Los Angeles
and this case is being RUC'd.

- 2 - San Francisco (Enc. 6) *P*
- 1 - Bureau, RMD, OAIM
- 1 - Room 5837 (INFO COPY)
- 1 - Los Angeles

BMC/tdf
(4)

Approved: *[Signature]*

Transmitted _____ (Number) _____ (Time)

Per *[Signature]*

MAR 24 1986

44A-2373-115

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(Mount Clipping in Space Below)

Concord police still hold to suicide theory in man's hanging death

By Ann Hagedorn
Mercury News Staff Writer

Concord police are sticking by their conclusion that the young man found hanging from a tree last November committed suicide.

A police interview with Timothy Lee's roommate Wednesday night provided "nothing to lead us to any conclusion that this is anything other than a suicide," Capt. Robert Evans of the Concord Police Department said Thursday.

Detectives interviewed Russell E. Wright, who had been identified by a Los Angeles handwriting expert as the possible author of Lee's purported suicide note. Three

other handwriting experts, including an employee of the state crime lab and two experts hired by the Mercury News, said that Wright did not write the note, although one of them said that the 23-year-old Lee did not write it either.

While police still maintain that Lee's death was a suicide, detectives are conducting more interviews, Evans said, "to verify information that they (detectives) received from the party we questioned last night."

And police are trying through a court order to examine the records of all the pay phones at the Concord BART station, where Lee was stranded after midnight and called friends to have someone take him to his Berkeley home.

Andrea McNichol, the Los Angeles graphologist, said Thursday that her findings should be sent to other qualified examiners for review.

In another development, Lee's sister, Tammy, alleges she received a phone call "of a threatening nature" from Wright early Thursday morning, according to Thordie Ashley, a spokeswoman for the National Association for the Advancement of Colored People.

McNichol said she is concerned about the number of unanswered questions in the case. For example, she said she doesn't understand why there were no fingerprints on the suicide note.

Evans confirmed Thursday that an examination of the note after it was found beneath the tree where Lee was hanging revealed no fingerprints.

"There were smudges on it which could not be utilized for identification at that time," said Evans. "But over time, due to the chemical used to bring out the fingerprints, sometimes fingerprints emerge later."

(Indicate page, name of newspaper, city and state.)

Date: 3-14-86
Edition: Peninsula Morning
8B San Jose Mercury News
San Jose, Ca.

Title:

Character:

or

Classification:

Submitting Office: SF

Indexing:

*Timothy Lee
Charles Lee
44-2373
(1/13/86)*

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MAY 28 1986	
FBI - SAN FRANCISCO	

44-2373-116

*File out
5/21/86*

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Concord police report evidence shows Timothy Lee was unhappy

By Carolyn Newbergh
The Tribune

CONCORD — Evidence collected this week about the hanging of a black man here last November "points more and more" to suicide and indicates his Berkeley roommate had nothing to do with it, police said yesterday.

Nevertheless, police said the probe will continue until at least Monday, when they may release statements taken this week from Timothy Lee's friends about his "frustrated" emotional state just before his death.

Lee's roommate, named by Los Angeles graphologist Andrea McNichol as the alleged author of Lee's suicide note, was never a suspect in the case, Capt. Bob Evans said.

Two other roommates say the man was home with them the entire night, Evans said. The friend, who doesn't have a car, was one of the last to talk to Lee early Nov. 2, when he tried unsuccessfully to find him a ride home from the Concord BART station.

"We see nothing that concerns us about him," Evans said.

McNichol said yesterday she still believes the man is associated with the death and wrote the suicide note.

"I think (the police are) going to eat their words," she said. "... I think they're acting prematurely."

Representatives of the National Association for the Advancement of Colored People, which has pushed for the case to be reopened, said yesterday they weren't surprised the death is still being labeled a suicide because Concord police have a stake in sticking to their earlier conclusion.

But police have said repeatedly they would pursue any new

leads and want somehow to put concerns about Lee's death to rest.

"As long as we receive anything of material question, we will examine it," Evans said. "I think we're searching for the truth. Other people should do the same thing."

Evans said the interview with the roommate Wednesday night led to talks with a number of Lee's friends, who gave a fuller description of the man's mental state just before his death.

Lee was experiencing "frustrations" at the time, Evans said. He declined to be more specific, but suggested Lee had problems with his fashion design career and his crowded living conditions in a Berkeley studio apartment, which he shared with three roommates.

Although Lee may have seemed upbeat and vibrant to some who knew him, others said Lee was unhappy, Evans said.

"Sometimes people present one side of their life to one part of their world and there may be a different side," Evans said.

Lee was found hanged Nov. 2 near the Concord BART station, the same night two black men were stabbed by two white men in Ku Klux Klan costumes in the suburban city.

Ever since police concluded several days later that Lee's death was suicide, the case has generated controversy and media attention, particularly because his family and the NAACP say he was murdered.

(Indicate page, name of newspaper, city and state.)

Date: 3-15-86
Edition: Sat.
A-10 The Tribune
Oakland, Ca.
Title:

Character:
or
Classification:
Submitting Office: SF

Indexing:

Timothy Charles Lee
44-2373 (1/13/86)*

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SERIALIZED FILED
MAY 20 1986
FBI - SAN FRANCISCO



Controlled

File out
5/2/86

44A-2373-117

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b7c

(Indicate page, name of newspaper, city and state.)

(Mount Clipping in Space Below)

Date: 5-18-86
Edition: Final
S.F. Sunday Chronicle
Pg. 54 Datebook
San Francisco, Ca.
Title:

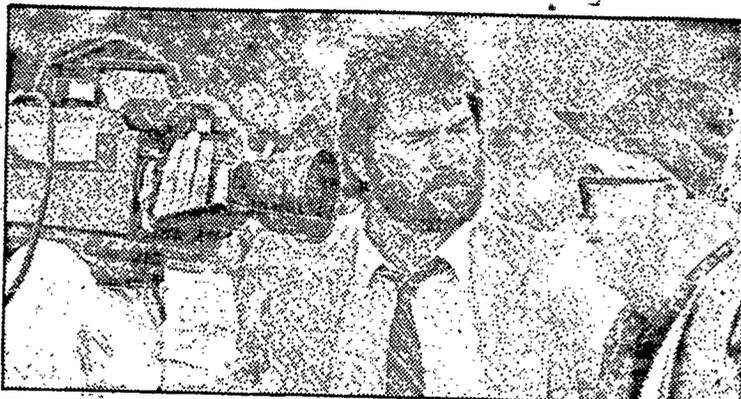
Character:
or
Classification:
Submitting Office: SF

TELEVISION

THE LOCAL BEAT

Swastikas, Klan Epithets Are Found in Concord

SWASTIKAS are being found painted on houses, so are Ku Klux Klan slogans. Police report that there have been more racial incidents in the first two months of 1986 than in previous years combined, and some community leaders believe there is a racist conspiracy against black and Hispanic residents.



KQED producer Scott Pearson tracked the Concord race story

The place is not the South, it's Concord, in the Bay Area, where "Express" producer Scott Pearson recently took his cameras to record a special edition, "A Climate of Fear," airing Wednesday at 8 p.m. on Channel 9.

next Sunday at 5:30 p.m. on Channel 9.

Pearson talked to black and Hispanic community leaders, among them members of the Black Family Association and the Mexican American Political Association, which believe there may be an organized Klan or other white supremacist movement at work in Concord.

City Police Chief George Straka disagrees. "I have never felt people were afraid to talk to us. There's no evidence of Ku Klux Klan in the community, in the police force or anywhere else."

Among the incidents that have affected the community recently have been the hanging death of a black youth, Timothy Lee, in November of last year at the Concord BART station. While police have ruled his death a suicide, many feel his death was a racially motivated slaying. Another incident involved "white-sheeted figures" who stabbed two black youths to death.

The program will be repeated

□□□
Timothy Christian Lee
*44-2373** (1/13/86)

[Handwritten signature]
Concord RA

44A-2373-118

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b7C

(Indicate page, name of newspaper, city and state.)

THE TRIBUNE

An independent newspaper serving the Greater Bay Area from Oakland since 1874

Date: 4-30-86
Edition: Morn.
B-6 The Tribune
Oakland, Ca.

Title:

Character:
or
Classification:
Submitting Office: SF

Indexing:

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B-6 Wednesday, April 30, 1986 Oakland, California

Improved outlook for Concord

Out of the tragedy of a young black man's hanging death has come the hope for better race relations in Concord, central Contra Costa County's largest and most ethnically mixed city. While no amount of official action will bring 23-year-old Timothy Lee back to life, his loss will not be completely meaningless if Concord becomes a better place for minority group citizens to live in.

Credit for the preliminary but positive city reactions to minority group complaints of racism aired at a state-sponsored hearing last week goes both to aggrieved citizens willing to talk and surprised officials willing to listen. Concord Police Chief George Straka admitted he was startled to learn the amount of race prejudice residents feel. "One gets to feeling comfortable in a community like this," he said.

Now representatives of the groups that spoke up must stay on the job. They must monitor the promises of Straka and Mayor Ron Mullin to implement programs aimed at fostering inter-ethnic understanding. And all citizens of Concord should watch their own public actions to avoid inciting fears shared across racial and ethnic lines.

There was no better indicator of the city's new optimism than the comments of Thordie Ashley, the Emeryville NAACP volunteer who asked the state Fair Employment and Housing Commission to hear Concord citizen complaints. The hearing "showed the (city) officials that they have a problem," she said. "I believe they will work to alleviate it."

It was Ashley's fierce, sometimes erratic, criticisms of Concord police and Contra Costa County Sheriff Department handling of Lee's death that caused simmering concern over race bias to break the seemingly placid

*Timothy Charles Lee
44-2373* (1/13/86)*

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44-2373-119

city's surface. A 23-year-old Berkeley man, Lee was found hanged from a fig tree near the Concord BART station last Nov. 2. Law enforcement officials concluded Lee committed suicide. But his family and, later, Ashley insisted the gay fashion-design student was hanged by unknown assailants who were racist and homophobic.

Doubts about the nature of Lee's death will persist unless and until additional evidence is found. But in the aftermath of four months of controversy, upgraded race relations programs can only create an atmosphere of greater trust in the future.

Mayor Mullin promises two-day seminars for police on the cultures of ethnic minorities, a new program to open city contracts to more minority businesses, increased efforts to appoint minority members to city boards and commissions and possible revival of the Concord Human Relations Task Force.

Chief Straka will consider designating a community relations officer on the police force, holding a monthly open-house meeting with minority group citizens, tightening already-existing monitoring of racially related crimes, and adding better race relations to "Officer Friendly" talks with schoolchildren.

Mt. Diablo School Superintendent Jack Abbott should do his part by making sure school curricula include the contributions minority groups have made to American life and history.

Concord's problems are not unique. "Unfortunately, (the city) may be typically American," says longtime black resident Joel Butler. But "if good people do nothing this kind of attitude grows and grows."

Good people did something in and for Concord. Let that vigilance continue.

(Mount Clipping in Space Below)

State Hearing Tomorrow On Concord Racial Issues

By Elliot Diringer

The harrowing images of November 2 will be etched forever in the psyche of Concord.

Outside a tavern, two black men were knifed by two whites wearing the robes of the Ku Klux Klan. A few hours later, a young black man was found dead, hanging from a fig tree.

To Concord police, both matters are now all but closed.

The two robed assailants have been caught and convicted, and investigators stand by their initial ruling that young Timothy Lee hanged himself and was not lynched.

But the racial debate stirred by the two incidents continues to haunt Concord, and tomorrow a state commission comes to town to see whether it can separate fiction from fact.

The daylong hearing by the Fair Employment and Housing Commission is likely to produce two very conflicting portraits of the middle-class town of 105,000 and the surrounding suburbs of central Contra Costa County.

Some of the speakers, who will be under oath, are prepared to tell of the abuse and violence they have suffered as racial minorities in a largely white area that seems tolerant of the organized racists in its midst.

Local officials, who dismiss reports of organized hooliganism, will defend their attempts to ease what little racial friction does exist.

"Is this something that's part of this society and part of this culture out here?" asked Councilman Steve Weir, a lifelong resident. "I'm not going to be so blind as to say it doesn't exist. . . . It's covert and unorganized. It may be in the hearts and minds of some of the citizens, but it's not in the fabric of this community."

The intense publicity generated by the two November incidents, particularly the Lee hanging, has angered some officials who worry about Concord's image. Having worked hard to turn a decrepit downtown into a vital jobs center, they want the new workers to feel welcome.

"The allegations that have been made by certain minority groups, for whatever purposes they have in mind, they strike fear in the heart of the minorities who work here," complained Mayor Ron Mullin. "It's absolutely absurd. We have one of the prettiest and most respectable communities in the U.S."

Tomorrow's hearing was requested by NAACP leaders outside Concord, whom Mullin accused of exploiting the Lee case to further their own political objectives.

"They seized upon this unfortunate circumstance to try to make a point, which is that the black people in central Contra Costa County should rally together and form their own chapter of the NAACP," the mayor said.

Thordle Ashley of the Emeryville chapter of the National Association for the Advancement of Colored People dismissed Mullin's ac-

(Indicate page, name of newspaper, city and state.)

Date: 4-21-86
Edition: 6 Star
4 S.F. Chronicle
San Francisco, Ca.

Title:

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or
Classification:
Submitting Office: SF

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*Timothy Charles Lee
44-2373* (1/13/86)*

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FBI - SAN FRANCISCO	

44A-2373-121

... as another example of local officials trying to discredit valid complaints of racial intolerance.

With all the recent publicity, said Ashley, other victims are finally stepping forward. "I get all kinds of telephone calls from people who are horrified about what's happen-

band was slurred and attacked. Officers responding to their calls never caught anyone in the act, she said, and after a while the police suggested that the Taufas were

'Is this something that's part of this society and part of this culture out here?' asked a city councilman

ing up there," she said. "They will tell me about police brutality, racial intolerance, the white racist groups that live up there."

From the evidence she has seen, Ashley insisted, there can be no doubt that the KKK is active in Concord.

"Everybody's concerned about Libya," she said. "I'm concerned about the United States, the terrorists we have right here among us. ... A lot of times when you say 'KKK' they say, 'No, you're dreaming.' Not with the research I've done. I've smelled the burning flesh when I was in Texas. I know I'm not dreaming."

Word processor Kate Taufas, a white woman in a racially mixed marriage, said that six months of terror convinced her that the KKK is certainly present in spirit if not form.

"The thought that underlies what KKK stands for is here," she said. "They don't have to have robes to do what they were doing to us."

Taufas and her husband — a native of Tonga, in the South Pacific — settled in a working-class Concord neighborhood in late 1982. The harassment that followed at first seemed like juvenile pranks, she said, "but then they started to take on an uglier color."

Rocks pounded the home incessantly, burping newspaper was slipped through a window, her hus-

band was slurred and attacked.

Officers responding to their calls never caught anyone in the act, she said, and after a while the police suggested that the Taufas were making it all up. "We just got no support from the Police Department. They really wanted to cover up the fact that they were inept in handling this kind of thing," she said. "Even though they're cosmopolitan, culturally and racially mixed, there's still what I would term a redneck element out here. Being that I was white, this was certainly an eye-opener for me."

Privately, some city officials acknowledge that some minority families, unlike the Taufas, have moved away rather than suffer harassment.

They also say the two episodes five months ago have made them more sensitive than ever to minority concerns. The City Council will soon review recommendations by the Community Services Commission for new affirmative action rules and awareness training for city employees.

As for the two precipitating events, the official view is that one was a suicide, the other an isolated attack by two racists in Halloween garb. The FBI is still investigating the Lee hanging, but Police Chief George Straka said his department's probe is "all but closed."

Straka also said that his department has found no evidence of organized KKK activity, even though the two robed assailants had KKK literature in their possession.

Among those eager to hear tomorrow's testimony is Joel Butler, a black who has lived in Concord since 1964. Butler has twice successfully urged the city to appoint task forces to address racial issues, most recently in 1982 after the initials KKK were etched into the window of his wife's car.

Butler feels that the city has grown more tolerant over the years, but he advocates constant vigilance to keep racism in check.

"Unfortunately, it may be typically American," he said of Concord's problems. "If good people do nothing, this kind of attitude grows and grows and grows. We're moving on the fact that we're good people, and we're doing something about it."



U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to
File No. SF 44A-New

450 Golden Gate Avenue
Box 36015
San Francisco, California 94102

January 7, 1986

[Redacted]

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National Association for the Advancement of Colored People
663 - 35th Street,
Oakland, California 94609

Dear [Redacted]

This is to acknowledge receipt of two letters from you regarding the death of Timothy Lee, on November 2, 1985, in Concord, California. Please be advised that the circumstances surrounding Mr. Lee's death are being actively reviewed by the San Francisco office of the Federal Bureau of Investigation. Any information you may possess that could possibly provide assistance to an investigation would be appreciated.

The results of our investigation will be submitted to the Civil Rights Division, Department of Justice, in Washington, D. C., for review to determine if the matter constitutes a prosecutable violation of the Federal Criminal Civil Rights Statutes. You will be notified of the conclusion reached by the Department of Justice.

Thank you for your information and cooperation in this matter.

Sincerely

RICHARD W. HELD
Special Agent in Charge

- 1 - Addressee
- 1 - San Francisco (SF 44A-New)

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By: [Redacted]
Supervisory Special Agent

① [Redacted] (INFO)
② [Redacted] (INFO)

[Handwritten signature]
[Redacted] [Handwritten initials]

44A-2373-122

SAC, San Francisco (44-2373)
Attention: SA [redacted]

4/10/86

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Director, FBI

UNSUB(S);
TIMOTHY CHARLES LEE (Deceased) - VICTIM;
CIVIL RIGHTS



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All documents are enclosed herewith, for appropriate filing.

Enclosures (7)

1 - San Francisco (94-939)

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FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE SAN FRANCISCO	OFFICE OF ORIGIN SAN FRANCISCO	DATE 6/19/86	INVESTIGATIVE PERIOD 2/3/86 - 5/27/86
TITLE OF CASE UNSUB(S); TIMOTHY CHARLES LEE - VICTIM (DECEASED)		REPORT MADE BY SA 	TYPED BY bav
CHARACTER OF CASE CIVIL RIGHTS			

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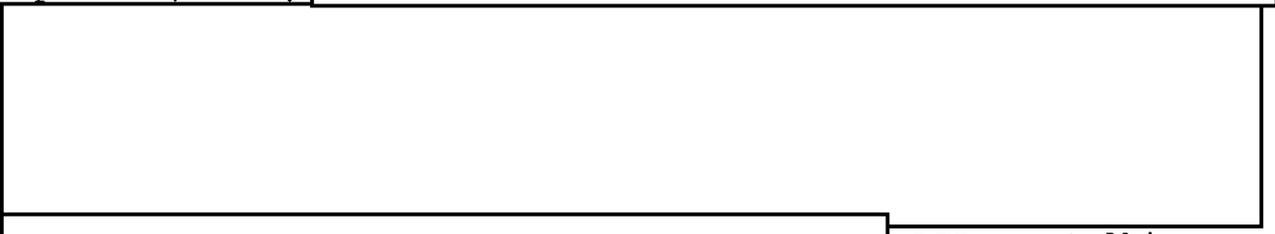
REFERENCE: Report of SA at San Francisco, dated 2/6/86. Bureau airtel to San Francisco, cated 4/24/86.

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ADMINISTRATIVE:

In regard to the Department of Justice letter dated April 14, 1986,

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LEE was talking on the telephone to a roommate from the Bay Area Rapid Transit (BART) station in Concord approximately twenty to twenty-five

APPROVED <i>RWA/UBS</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW	
COPIES MADE: 2 - Bureau 1 - USA, San Francisco (ATTN: AUSA) ① - San Francisco (44A-2373)			
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By			

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SF 44A-2373
RJH/bav

ADMINISTRATIVE: (cont.)

minutes prior to the stabbing incident involving [redacted] at a Concord bar. This matter was vigorously investigated and prosecuted by local authorities. Also an investigation was conducted by the Concord Police Department regarding any possible connection between the two incidents with negative results. The investigation is set forth in the details of this report.

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In regard to the Department's question regarding the estimated time of LEE's death, please refer them to the copy of the report of the Contra Costa County office of Sheriff-Coroner case number 85-1073, which was sent as an enclosure to the referenced report of San Francisco, dated February 6, 1986. This report sets the time of death as about 0800 hours (8:00 a.m.).

The FBI Laboratory has not been requested to examine the suicide note as it was previously examined by a veteran and experienced questioned document examiner of the California Department of Justice, Division of Law Enforcement, Bureau of Forensic Services. The examiner's conclusion was that "With the evidence at hand, there is evidence to indicate that the writings on the envelope of Exhibit Q-1 (The suicide note) and on the check of Exhibit Q-2 (one personalized check signed 'TIMOTHY CHARLES LEE') was authored by the same individual who executed the writings contained in the notebook and the two loose pages of Exhibit K-1 (one buff colored note pad and two loose pages bearing writings submitted as being authored by TIMOTHY CHARLES LEE). The limited nature of this writing and the availability of comparable like signatures, hinders a positive statement."

Extensive background and information regarding

[redacted] are set forth in the body of this report. Also see administrative information below.

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Also, additional supplements to the original Concord Police Department report not previously forwarded have been obtained and incorporated into the details of this report.

SF 44A-2373
RJH/bav

ADMINISTRATIVE: (cont.)

For the information of the Bureau, the Los Angeles Division furnished the following information concerning

[REDACTED]

in particular and this information is being furnished administratively as the individuals quoted below have requested confidentiality:

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[REDACTED]

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[REDACTED]

All of these individuals have requested confidentiality.

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[REDACTED]

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[REDACTED]

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ADMINISTRATIVE: (cont.)



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SF 44A-2373
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ADMINISTRATIVE: (cont.)

The report in this matter was not submitted in a timely manner as Case Agent was assigned numerous other deadline matters, including Applicant cases, other civil rights cases and bank robberies requiring an immediate response.

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UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1 - USA, SF
(ATTN: AUSA [redacted])

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Report of: SA [redacted] Office: San Francisco
Date: 6/19/86

Field Office File #: SF 44A-2373 Bureau File #:

Title: UNKNOWN SUBJECT(S);
TIMOTHY CHARLES LEE - VICTIM
(DECEASED)

Character: CIVIL RIGHTS

Synopsis: On May 15, 1986, [redacted] Concord Police Department, (CPD), Concord, California, made available a copy of CPD report number 85-22679 concerning the death of TIMOTHY LEE, including various supplemental reports, physical evidence examination reports and Coroner's report. This included information previously made available by CPD regarding this case. Numerous friends and associates of TIMOTHY LEE were interviewed,

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[redacted]

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[redacted] LEE has also recently spoke of killing himself [redacted] [redacted] observed copy of suicide note in newspaper and contacted NAACP and advised note was not a suicide note. She was furnished samples of TIMOTHY LEE's handwriting by the NAACP and advised the Concord Police Department and FBI that TIMOTHY LEE did not write the suicide note but that it was written by [redacted]

[redacted] The note was examined by the California Department of Justice, Bureau of Forensic Services,

[redacted]

A comparison by the Bureau of Forensic Services of the suicide note with known writings of TIMOTHY LEE, concluded there is evidence to indicate the

SF 44A-2373
RJH/bav

SYNOPSIS: (cont.)

note was authored by the same individual who executed known writings of TIMOTHY LEE. The report also stated the limited nature of the writing and the availability of comparable like signatures, hinders a positive statement. [REDACTED]

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[REDACTED] Concord Police Department advised on May 27, 1986, that no new evidence has developed to indicate the death of TIMOTHY LEE was other than a suicide.

- C -

DETAILS:

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/21/86

[redacted] Concord Police Department (CPD), Concord, California, made available a copy of CPD report number 85-22679 concerning the death of TIMOTHY LEE including various physical evidence examination reports, coroner's report and various supplements to the above report which had been received since he originally made the report available in January, 1986.

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He advised that much of the material being furnished is a duplication of material previously furnished but that there are several supplemental reports concerning investigation conducted since the original report was furnished.

Investigation on 5/15/86 at Concord, California File # SF 44A-2373

by SA [redacted] rh Date dictated 5/21/86

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FRIENDS & ASSOCIATES OF TIMOTHY CHARLES LEE INTERVIEWED
BY THE CONCORD POLICE DEPARTMENT:

CONCORD POLICE DEPARTMENT
Offense Report

Supp X Typ .. Key Cr 85-22679 .

Class : CORONER'S CASE
Rept date : 110285 time 1236
Occur date : CONTINUOUS INVESTIGATION
Location : MT. DIABLO STREET AT LAGUNA STREET
Routing : DETECTIVE BUREAU

PERSONS -----

A-arrestee S-suspect W-witness V-victim O-owner
C-complainant J-subject K- c/v B-business victim

Invl : V
Name : LEE, TIMOTHY CHARLES..... Phone H: typ : H
Addr : B:
City : st: CA Dl#: st: b6
Dob : 011862 r: N s: M ht: ... wt: ... hr: ... ey: ... ss#: b7c
: FOR FURTHER INFORMATION, REFER TO ORIGINAL REPORT.....

Invl :
Name :
Addr :
City :
Dob :

Invl :
Name :
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Invl :
Name :
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City :
Dob :

[Redacted]

Invl :
Name :
Addr :
City :
Dob :

[Redacted]

REPORT NARRATIVE-----

03/12/86 - 1345 hours

[Redacted] and I contacted [Redacted] at her business address in San Francisco. [Redacted] and three female employees

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[Redacted] were interviewed regarding Timothy Lee.

[Redacted] advised that Lee [Redacted]

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All parties voiced similar assessments that Lee was an amiable, reliable employee, who seemed to enjoy his work. Lee had worked for another textile manufacturer in San Francisco, but had not had an opportunity to actually paint any fabrics prior to his employment with Kindler Textiles.

[Redacted] advised that she had told Lee that she was willing to allow him to begin to do some of the fabric painting and present some of his design ideas. [Redacted] was unaware of any plans that Lee may have had to attend a fabric design school in Europe, and could not offer any information regarding friends or associates [Redacted]

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[Redacted] provided us with the address of the Barbara Beckman Design and Textile Business, at 2425 17th Street in San Francisco. [Redacted] said that Lee had worked for Beckman for some

time, prior to his employment with her company.

03/12/86 - 1430 hours

[redacted] and I interviewed employees at Beckmans and obtained the same general personality description of Lee. Refer to [redacted] supplement for specifics.

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Beckman employee [redacted] told us that Lee had developed a close friendship with a [redacted]

[redacted] Subsequent interviews in the building identified [redacted]

[redacted]

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03/12/86 - 1600 hours

[redacted]

[redacted]

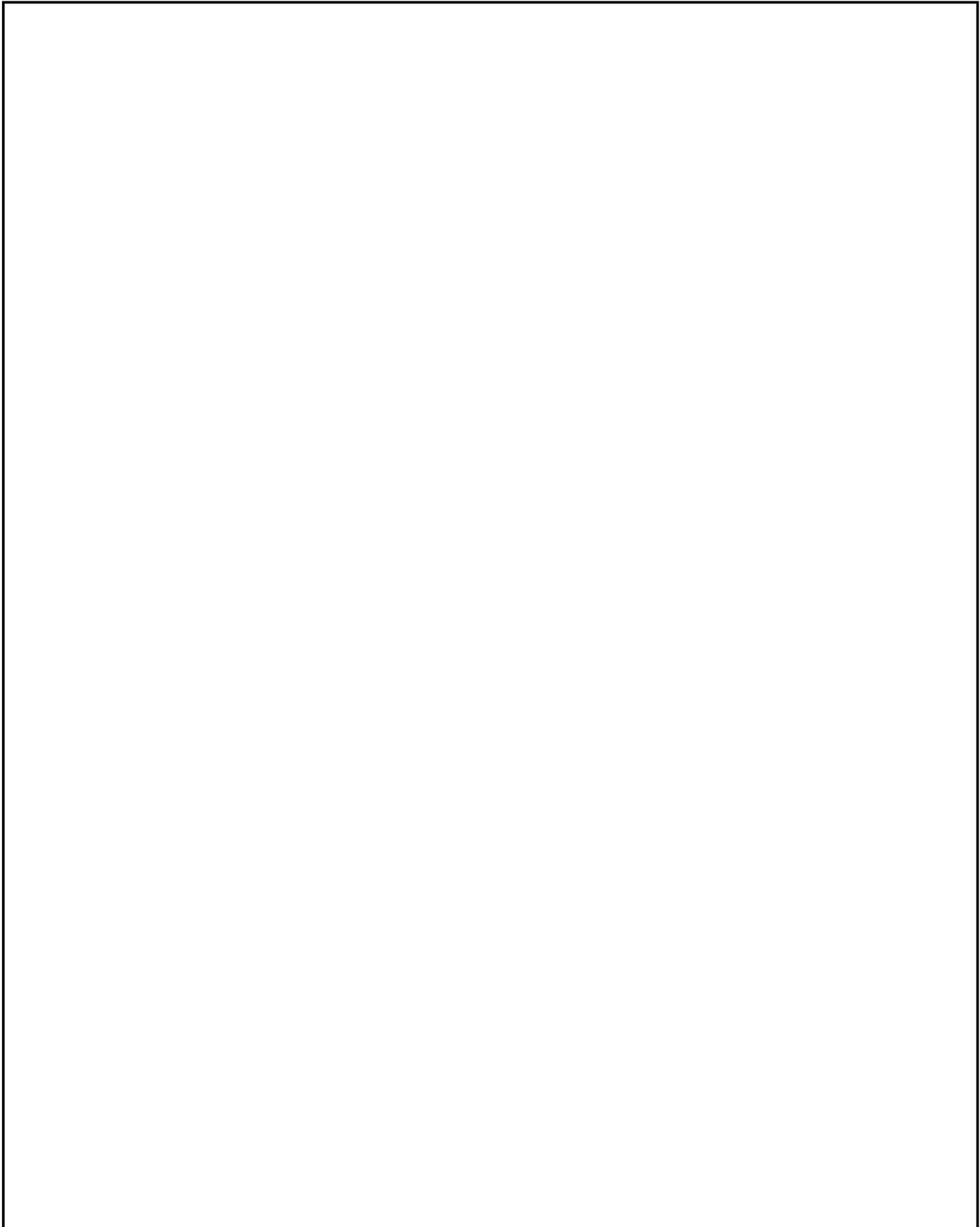
he had no knowledge of Lee's close friends. [redacted] was aware that Lee had at least one roommate in his Berkeley apartment, and Lee had reportedly told [redacted] that he was not particularly happy with his living arrangements.

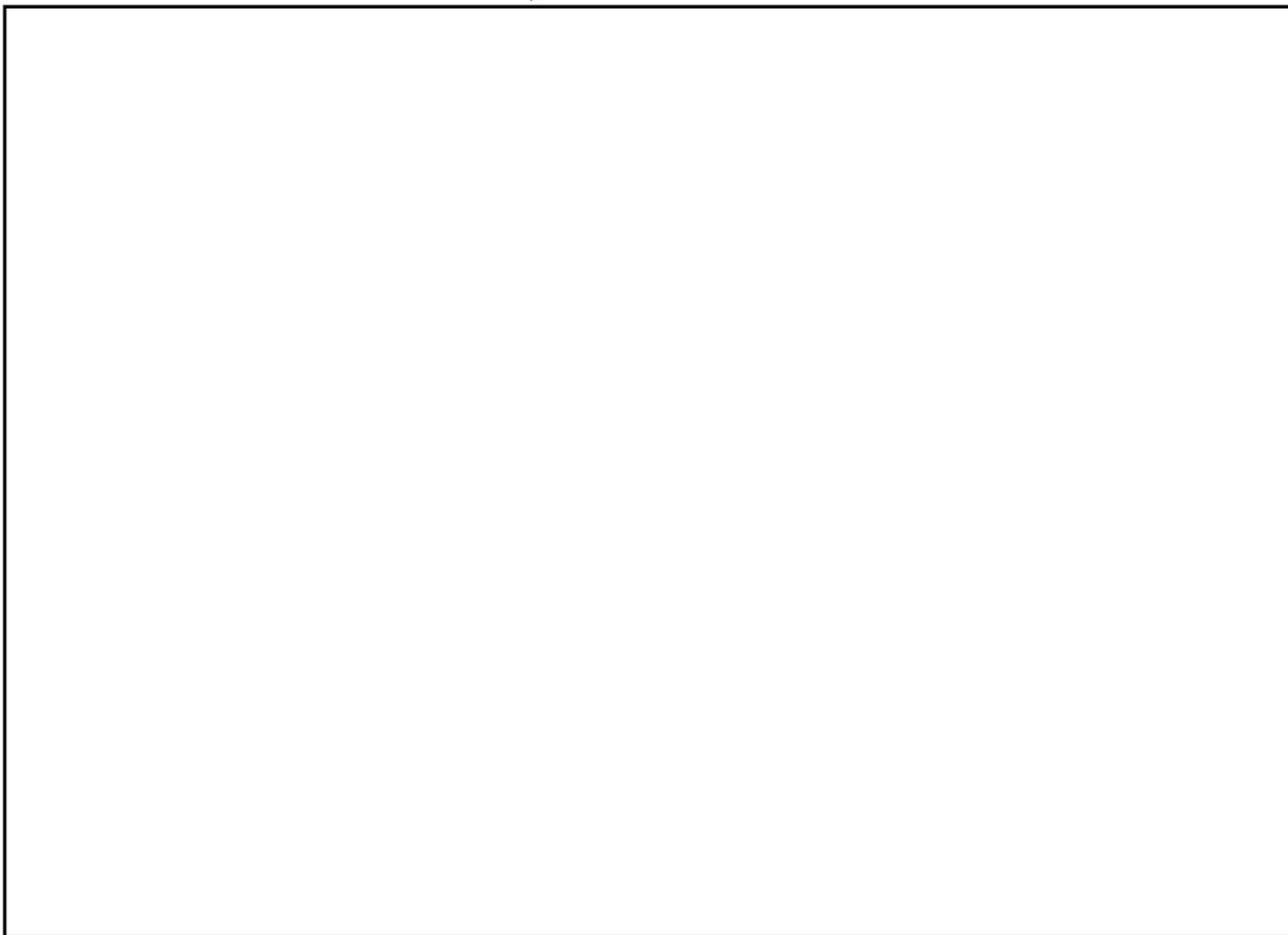
03/12/86 - 1930 hours

[redacted] and I met with [redacted] and [redacted] at [redacted] immediately stated that [redacted]

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[redacted]





03/13/86 - 1330 hours

I called [redacted] at her home. [redacted] confirmed that she^{b6} received a telephone call from Timothy Lee late Friday night, 11/1/85.^{b7c} She recalled that her clock said one-thirteen a.m. (Saturday morning) when she answered the phone, and Tim asked if [redacted] was home. [redacted] was not home, and Lee told [redacted] that he had fallen asleep on the BART train from San Francisco, and was at the Concord BART station. Lee told [redacted] that he would have to get a room for the night if he could not arrange to have someone give him a ride home. [redacted] told Lee that she would check [redacted] address book, make some calls, and call him back. Lee gave [redacted] the phone number at the public phone from which he was calling.

[redacted] located [redacted] phone number in the address book and called [redacted] [redacted] said she waited a few minutes after telling [redacted] about Lee's predicament, and then tried to call Lee back. She found the phone number at the pay phone to be busy. She then called [redacted] phone number and found that also busy. She called [redacted] a few minutes later, and [redacted] told her that he had no transportation and would wait for [redacted] to get home. She then

dialled the public phone number, intending to offer Lee the assistance of [redacted] said she got no answer^{b6} at the pay phone and assumed that the station had closed, and Lee had^{b7C} been asked to leave. She said Lee said he was "cold," but did not sound particularly desperate.

[redacted] said that [redacted] had been very close friends for approximately [redacted] was also very close to Tim. I asked [redacted] to ask [redacted] to call me.

03/13/86 - 1600 hours

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After checking local directories, [redacted] and I made contact at [redacted] We made contact with a [redacted] who identified himself as [redacted] and were referred to a telephone number at [redacted] where I eventually interviewed [redacted]

[redacted] said he met Timothy Lee at a gay bath house on 4th Street in Berkeley, known as the Steamworks. [redacted] said he called Lee at Lee's apartment two to three times and had planned to try to get together with Lee on a subsequent occasion. [redacted] said he called Lee's apartment on Friday, 11/1/85, and left a message with [redacted] asking for Lee to call him when he got in. [redacted] said he never got a call back and was shocked to later read of Lee's death in the newspaper.

[redacted] said Lee had told him that he worked at a fabric design business in San Francisco and had recently changed jobs. Lee seemed "normal" to [redacted] and complained only of wanting to find his own place to live. [redacted] said he was home alone all night on 11/1/85, but had unplugged his telephone at approximately ten p.m.

03/13/86 - 1630 hours

I called [redacted] the San Francisco Academy of Art. [redacted] confirmed that Timothy Lee had been a student and agreed to discuss his academic status. Arrangements were made to have [redacted] interview Academy employees the next day. [redacted]

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03/13/86 - 1730 hours

[redacted] and I interviewed [redacted]
[redacted]

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03/14/86 - 0830 hours

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I received a call from [redacted] in response to my earlier request

[redacted] said he had moved to [redacted] and had given his telephone number to Lee. Lee had misplaced the phone number several times, and had most recently written it down in a paperback book ("The Shining") that he was reading.

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[redacted] said he did not talk to Lee after Sunday, 10/27/85, and did not know where Lee may have gone after work on 11/1/85. [redacted] knew Lee to frequent a gay bar in San Francisco, known to him as the Midnight Sun.

[redacted] said he strongly suspected that Lee was murdered as he had viewed a photograph of Lee's body at the Contra Costa County Morgue, and had examined the strap found around Lee's neck. [redacted] said he did not think the strap belonged with Lee's backpack, and he speculated that someone used it to hang Lee. [redacted] said he did not consider Lee to be depressed emotionally, and understood that Lee was planning a trip to Milan, Italy.

When I asked [redacted] about any specifics Lee may have given him regarding this trip, [redacted] said he knew nothing specific and assumed it would be arranged through the Art Academy in San Francisco. [redacted] said he was not aware of any conflicts Lee was having with any current lovers. [redacted] said he and Lee were close friends, but that Lee did not have a steady lover, as he was "too busy with his work."

[redacted] described Lee as a loner, who would not be hesitant to walk into a gay bar alone. [redacted] said Lee liked to drink occasionally at the Midnight Sun, and would "watch videos" there in the evenings.

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[redacted] Lee was residing [redacted]

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[Redacted]

[Redacted] Lee, [Redacted]

[Redacted]

[Redacted] said he was home alone, all night, on Friday, 11/1/85, and did not receive any calls from Timothy Lee. [Redacted] knew that Lee was not happy with his living arrangements as Lee had told [Redacted] that he wanted to have his own apartment so as to allow him more time "to be creative."

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03/25/86 - 1030 hours

I received a call from [Redacted] I interviewed her regarding her reported conversation with [Redacted] She maintained that the conversation occurred as reported in the FBI interview report. She said there were no other persons present to corroborate the statement.

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[Redacted] initially described her relationship with Lee as "very close."
[Redacted]

03/26/86 - 1800 hours

[Redacted]

Case pending.

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[Redacted]

3/28/86 1500

mvr 4/11/86 0500

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CONCORD POLICE DEPARTMENT
Offense Report

ORIGINAL

SUPP X (03)

Cr 85-22679

Class : CORONER'S CASE
Rept date : 110285 time 1236
Occur date : CONTINUOUS INVESTIGATION
Location : MT. DIABLO AT LAGUNA ST.
Routing : DETECTIVE BUREAU

PERSONS -----

A-arrestee S-suspect W-witness V-victim O-owner
C-complainant J-subject K- c/v B-business victim

Invl : V
Name : LEE, TIMOTHY CHARLES..... Phone H: typ : H
Addr : B:
City : st: CA D1#: S_b6 ..
Dob : 111862 r: N s: M ht: ... wt: ... hr: ... ey: ... ss#: ...b7c ..
: REFER TO ORIGINAL REPORT FOR ADDITIONAL INFORMATION.....
:

Invl :
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[Redacted]

REPORT NARRATIVE -----

3/12/86 - 1430 Hours

[Redacted] and I arrived at Barbara Beckman Designs, 2425 - 17th Street, San Francisco. We first met and interviewed [Redacted] She told us Lee had only worked for Barbara Beckman for a few months as a shipping clerk and he would paint fabric once in a while if he had the chance. As in previous interviews Lee was perceived as hard working and dependable.

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When asked if she had ever known anything about her personal life, [Redacted] replied she had no knowledge and knew no one who had ever accompanied him drinking or anywhere else.

It appears Lee's personal life was just that, as he had no social contact with employees.

[Redacted]

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I left a card and asked that [Redacted] call me the next day, as she was not in at the time.

3/13/86 - 0900 Hours

I called [Redacted] at Barbara Beckman Designs. She told me she was declining to talk as she had said all she was going to, and that was to the press. The call was then terminated.

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03/14/86 - 1435 Hours

[Redacted] and I went to the San Francisco Academy of Arts at 540 Powell Street, San Francisco.

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We met and talked with [Redacted]

[Redacted] told me Lee was a new student as of the fall semester of 1985, having come from the Fashion Institute of Design and Merchandising.

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He applied for and received financial aid through the school. [Redacted] said Lee was one of few who got all his documents in on time. The aid was in the form of federal money to be used only for school. The aid was granted strictly based on financial need.

There was no indication of him applying for school in Europe and there

are no scholarships offered through the school for travel. She further stated there was no fashion school in Milan as it was an Architectural Design class or school.

I next talked with [redacted] the academy. He told us that Lee's records from the Fashion Institute indicate he was going downhill. He explained that if a student in these specialized schools does not maintain A and B grades they usually don't make it, and a C grade is like a failing grade. Lee's grades the last semester were: 1-A, 2-C's, and 2-F's, which is equivalent to an A and 4-F's. [redacted] said Lee was enrolled in basic classes which was also unusual as most students with artistic talent don't take beginning drawing classes as Lee was. In design the student actually designs clothes, and in those classes he was receiving failing grades. When he changed schools he changed to fashion drawing, which is the drawing of people wearing clothes as in ads in newspapers and magazines. [redacted] said, based on Lee's status in school and the classes he was taking, for people to say he was a promising artist was ludicrous. It would be like saying that a newly hired police officer was going to be an outstanding investigator.

[redacted] 4/24/86 1455

df 4/24/86 1600 b6
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CONTRA COSTA COUNTY
OFFICE OF SHERIFF-CORONER

SUPPLEMENTAL OR CONTINUATION REPORT

CLASSIFICATION Suicide	Date of Original Report 11-2-85	Case File # 85-1073
Name of Deceased Lee, Timothy	Place of Death Concord	Date of Supplement 5-12-86

Witnesses: (Name, address, residence and business telephone)

- 1.
- 2.
- 3.
- 4.
- 5.

Not mentioned in the original report was a conversation I had with a [redacted] during the evening of 11-2-85 while I was attempting to locate [redacted]

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She said that [redacted] Timothy Lee. The other [redacted]

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She said that she had been concerned over the boys living conditions and specifically referred to Timothy Lee. [redacted]

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[redacted] Apparently the boys would get together with [redacted] and other friends and talk things over.

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She said she thought the boys were having a hard time with some of their life decisions, money, work, etc. and had no parents or adults to talk with for feed back. She said that basically the boys were on their own without guidance or direction.

She said that she was not surprised that something like this had happened as she knew, via [redacted] that there were some serious problems.

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Detective Division

Patrol Division

District Attorney

Invest [redacted] Date _____

Supervisor Approving

Date

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INVESTIGATION REGARDING ALLEGATIONS BY [REDACTED]
[REDACTED] THAT TIMOTHY CHARLES
LEE DID NOT WRITE THE SUICIDE NOTE AND THAT IT WAS WRITTEN
BY [REDACTED]

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 3/5/86

On February 26, 1986, a letter dated February 24, 1986 addressed to [redacted] F.B.I. Agent, #1 Kaiser Plaza, Oakland, Ca. 94612" and on the letterhead of the National Association for the Advancement of Colored People and signed [redacted] was received at the Oakland, California office of the Federal Bureau of Investigation.

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The letter stated that material concerning the alleged suicide note written by TIMOTHY LEE was enclosed and the following items were enclosed:

1. A two page letter dated February 19, 1986 to [redacted]

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2. A one page typed background information sheet regarding [redacted]

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3. A one page letter to [redacted] dated March 20, 1984 from [redacted] Attorney at Law.

4. A one page letter to [redacted] dated April 9, 1984 from [redacted] Attorney at Law.

5. A one page letter dated April 29, 1985 to [redacted] Attorney at Law.

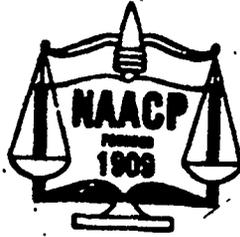
A copy of each of the above described items follows as additional pages of this FD-302:

Investigation on 2/26/86 at Oakland, California File # SF 44A-2373

by SA [redacted] /rh Date dictated 3/5/86

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Emeryville



Branch

National Association for the Advancement of Colored People

February 24, 1986

[Redacted]

F.B.I. Agent
1 Kaiser Plaza
Oakland, Ca. 94612

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Re: Timothy Lee Case

Dear [Redacted]

Enclosed is some material that you may be interested in about the alleged suicide note that Timothy Lee wrote. I trust this information and material will be helpful to you.

Sincerely Yours,

[Redacted]

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5878 Doyle Street

Emeryville, Ca. 94608

(415)428-0239

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 3/6/86

On March 3, 1986, a telephone call was received at the Concord Resident Agency, Concord, California, Federal Bureau of Investigation, from an individual who identified herself as

[REDACTED]

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She advised that she had seen a copy of the note found with TIMOTHY LEE'S body which had been published in the Los Angeles Times newspaper. She advised she has seen a lot of suicide notes and after seeing the note published in the paper, does not believe that it was, in fact, a suicide note. She advised she then contacted the National Association for the Advancement of Colored People (NAACP), Emeryville, California, offering her free assistance and a packet containing several samples of TIMOTHY LEE'S handwriting, both cursive and printing, was forwarded to her by the NAACP. The packet also contained hand written statements by several of LEE'S friends and associates.

She made a comparison of the copy of the suicide note and TIMOTHY LEE'S handwriting and concluded that TIMOTHY LEE did not write the note. There were some similarities to LEE'S handwriting in the note but she stated, in her opinion, LEE did not write the note.

She subsequently compared the note to the handwriting of a handwritten statement [REDACTED] a friend of LEE'S, and is 100% positive that the note was written [REDACTED]. She advised she spent over twelve hours examining every stroke of the note and there is a 100% match between the handwriting on the note and [REDACTED].

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She stated she made the comparison after she observed [REDACTED] the events which occurred the night of TIMOTHY LEE'S death and could tell at once by looking at the handwriting that the statement was not true and that [REDACTED] was lying about what transpired the night prior to LEE'S death. She reiterated that she is 100% positive that the suicide note was written [REDACTED].

Investigation on 3/3/86 at Concord, California File # SF 44A-2373

by SA [REDACTED] / rh Date dictated 3/6/86

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Corrected
ORIGINAL

CONCORD POLICE DEPARTMENT
Offense Report

SUPP X (02)

Cr 85-22679

Class : CORONER'S CASE
Rept date : 110285 time 1236
Occur date : 030486 to 031686 time VARIOUS
Location : CONCORD POLICE DEPT. AND LOS ANGELES
Routing : DETECTIVE BUREAU

PERSONS -----

A-arrestee	S-suspect	W-witness	V-victim	O-owner	b6
C-complainant	J-subject	K- c/v	B-business victim		b7C

Invl :
Name :
Addr :
City :
Dob \ :
:
:

[Redacted]

Invl
Name
Addr
City
Dob

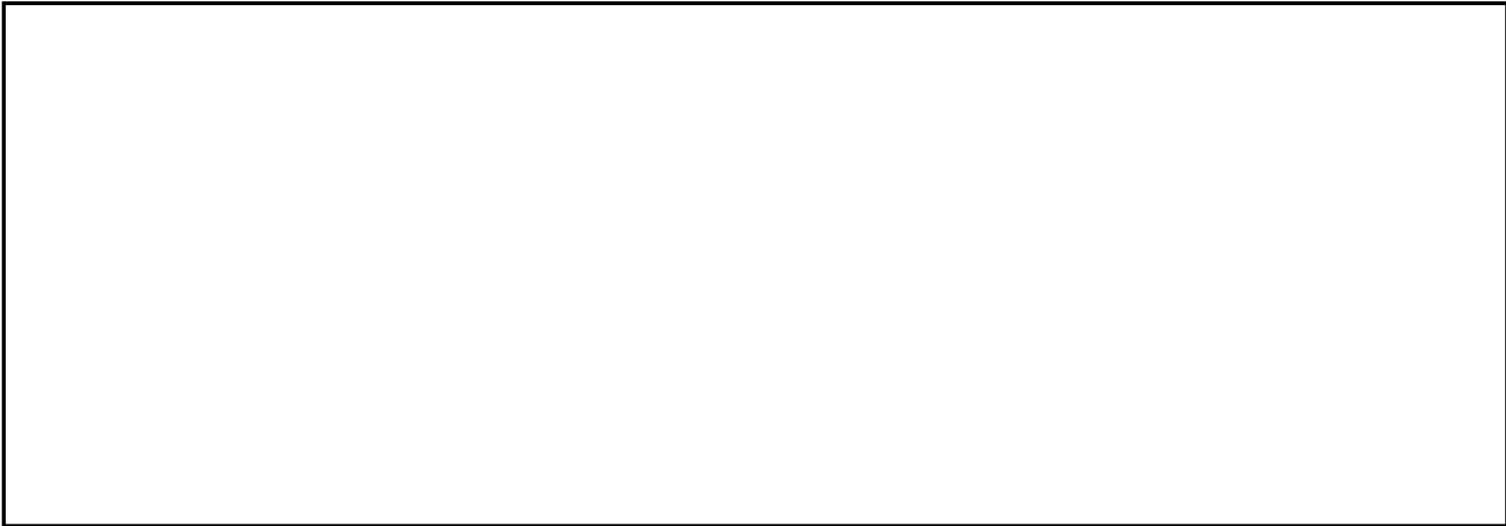
[Redacted]

REPORT NARRATIVE -----

On March 4th I contacted [Redacted] by telephone. I had learned from Special Agent [Redacted]

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[Large Redacted Block]



A copy of [redacted] statement was sent to the California Dept. of Justice along with the circumstances, and the examiners there said that the suicide note in this case was definitely not written [redacted]

[redacted]

[redacted]

05/05/86 1500

df 05/05/86 1615

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 3/11/86

On March 6, 1986, a copy of a letter to [redacted] [redacted] Concord Police Department, Concord, California, from [redacted] was received in the United States Mail at the office of the Federal Bureau of Investigation, 1 Kaiser Plaza, Suite 801, Oakland, California, 94612.

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The letter to [redacted]
[redacted]

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A copy of the letter follows as page two of this FD-302:

Investigation on 3/6/86 at Oakland, California File # SF 44A-2373

by SA [redacted] rh Date dictated 3/11/86

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PHYSICAL EVIDENCE EXAMINATION REPORT OF CALIFORNIA DEPARTMENT
OF JUSTICE, BUREAU OF FORENSIC SERVICES, REGARDING SUICIDE
NOTE WHICH STATES IT WAS NOT AUTHORED.

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REQUESTING AGENCY NO

85-22679

CALIFORNIA DEPARTMENT OF JUSTICE
DIVISION OF LAW ENFORCEMENT
BUREAU OF FORENSIC SERVICES

BFS CASE NO
Supp #2
Q-1166-5

P.O. BOX 13337, SACRAMENTO 95813

George J. Straka
Chief of Police

To: Willow Pass and Parkside
Concord, CA 94519

Copies To:

Attention: [Redacted]

PHYSICAL EVIDENCE EXAMINATION REPORT

TYPE OF CASE Suicide	REQUESTING AGENCY Concord Police Department		
SUBJECT LEE, Timothy Charles (Victim)			
EXHIBITS RECEIVED FROM [Redacted]	DATE 3-5-86	TIME	
METHOD OF TRANSIT In Person			

This is a report concerning physical evidence examinations requested by your office. In any future correspondence regarding this case please use the BFS case number appearing at the top of this report. If court testimony is required, please notify this office at least two weeks in advance whenever possible.

EVIDENCE:

Q-1. thru Q-4 and the K-1 items as previously examined and described in the first two reports.

K-2. Three machine copied pages of a handwritten statement dated 12/2/85
[Redacted]

CONCLUSION:

The handwritten note in question was not authored [Redacted]

DISPOSITION:

All submitted evidence is herewith returned.

2

Date of Report: March 7, 1986

Examinations [Redacted]

DCC:kri

Title: [Redacted]

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PHYSICAL EVIDENCE EXAMINATION REPORT OF CALIFORNIA DEPARTMENT
OF JUSTICE, BUREAU OF FORENSIC SERVICES, REGARDING COMPARISON
OF SUICIDE NOTE WITH KNOWN WRITINGS OF TIMOTHY LEE:

REQUESTING AGENCY NO.
85-22679

CALIFORNIA DEPARTMENT OF JUSTICE
DIVISION OF LAW ENFORCEMENT
BUREAU OF FORENSIC SERVICES

BFS CASE NO.
Q-1166-5

P.O. BOX 13337, SACRAMENTO 95813

To: George J. Straka
Chief of Police
Willow Pass and Parkside
Concord, CA 94519

Copies To: File (1)

Attention: Lieutenant Al. Jordan

PHYSICAL EVIDENCE EXAMINATION REPORT

TYPE OF CASE Suicide		REQUESTING AGENCY Concord Police Department	
SUBJECT LEE, Timothy Charles (Victim)			
EXHIBITS RECEIVED FROM [REDACTED]		DATE 11-15-85	TIME
METHOD OF TRANSIT In Person			

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b7c

This is a report concerning physical evidence examinations requested by your office. In any future correspondence regarding this case please use the BFS case number appearing at the top of this report. If court testimony is required, please notify this office at least two weeks in advance whenever possible.

EVIDENCE:

- Q-1. One envelope to the University of California, San Francisco, bearing writings on the reverse side that appears to begin [REDACTED] and signed with a signature that appears to read "Tim". This item chemically processed for latent fingerprints prior to being received in this office.
- Q-2. One personalized Crocker National Bank check #548 signed "Timothy Charles Lee".
- Q-3. One Judith Kindler Textiles envelope bearing a handwritten name "Tim" on the face.
- K-1. One buff colored note pad and two loose pages bearing writings submitted as being authored by Timothy Charles Lee.

CONCLUSION:

With the evidence at hand, there is evidence to indicate that the writings on the envelope of Exhibit Q-1 and on the check of Exhibit Q-2, was authored by the same individual who executed the writings contained in the notebook and the two loose pages of Exhibit K-1.

This same writer very probably authored the "Tim" on the envelope of Exhibit Q-3. The limited nature of this writing and the availability of comparable like signatures, hinders a positive statement.

Date of Report: _____ Examinations by: CONTINUED [Signature]

Title: _____

LEE, Timothy Charles (Victim)

11-15-85

Q-1166-5

-2-

DISPOSITION:

All submitted evidence is herewith returned.

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b7C

Date of Report: November 20, 1985

DCC:kri

Examinations by: 

Title: 

CALIFORNIA DEPARTMENT OF JUSTICE
DIVISION OF LAW ENFORCEMENT
INVESTIGATIVE SERVICES BRANCH

REQUEST FOR
PHYSICAL EVIDENCE EXAMINATION

BRANCH USE ONLY	ISB CASE No.
	EVIDENCE: Additional Re-submitted

REQUESTING AGENCY: Concord Police Dept. COUNTY OF: Contra Costa
(Include Sub-Station, if any)

OFFENSE: Suicide AGENCY CASE NO.: 85-22679

SUSPECT(S): _____
(Include Agency I.D. No. and CII No., if any)

VICTIM(S): Timothy Charles Lee

BRIEF SUMMARY OF CIRCUMSTANCES: Victim was discovered hanging by the neck from a tree in a vacant lot. A suicide note and a note book was located at the scene.

EVIDENCE SUBMITTED: (Description and Source) _____
(1) Suicide note
(2) Check made out to Regents of the University of California
(3) "Tim" on Judith Kindler Textiles envelope
(4) Note book that has been identified to be in the victim's hand

PURPOSE OF EXAMINATIONS DESIRED: Compare Item 1,2 & 3 to Item 4

If further information is needed concerning this case, the following official should be contacted:
[Redacted] Phone No. [Redacted] Ext. [Redacted]

Officer Delivering Evidence to ISB: [Redacted] Date: [Redacted]
Officer Submitting Evidence to ISB: [Redacted]
Officer Investigating this Case: [Redacted]

ISB Report to Be Sent to the Attention of: Upon completion of analysis - notify [Redacted]
Evidence Delivered Should Be Returned to the Attention of [Redacted] to arrange
for pickup of this evidence.

IS ABOVE LISTED EVIDENCE PROPERLY MARKED AND PACKAGED? _____

PLACE THIS FORM IN ENVELOPE ON OUTSIDE OF EVIDENCE PACKAGE

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INVESTIGATION REGARDING
CHARLES LEE:



TIMOTHY

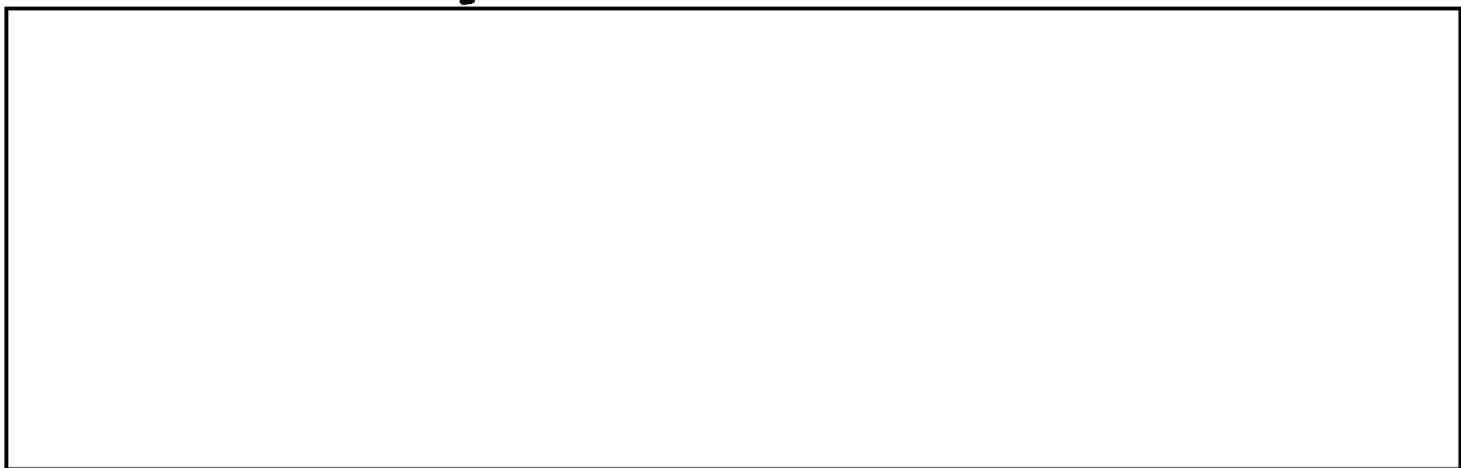
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SF 44A-2373
RJH/rh

The following is a narrative of an interview of [redacted]
[redacted] conducted by [redacted] of the Concord Police
Department and made available by him on May 15, 1986.

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03/12/86 - 1930 hours



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ORIGINAL

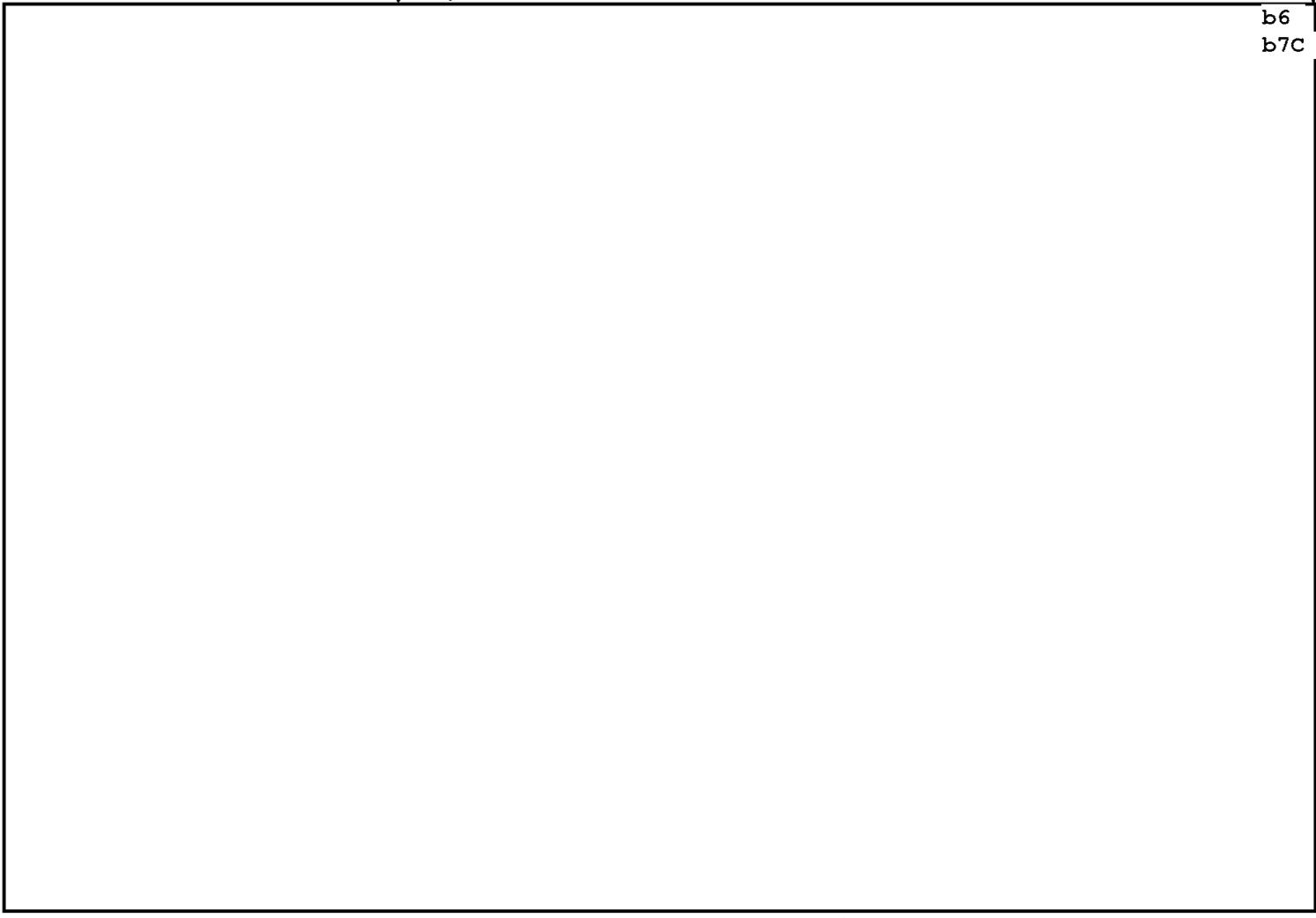
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FEDERAL BUREAU OF INVESTIGATION

3/25/86

Date of transcription _____

On March 18, 1986, a copy of a three page Pacific Bell telephone bill for telephone number 415 549-3293 with a statement date of November 20, 1986 through November 20, 1986, was received in the mail addressed to "Agent [redacted] Federal Bureau of Investigation, #1 Kaiser Plaza, Oakland, Ca. 94612". The envelope had a return address of "Emeryville NAACP, 5778 Doyle Street, Emeryville, Ca. 94608".

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A copy of the billing follows:

Investigation on 3/18.86 at Oakland, California File # SF 44A-2373

by SA [redacted] /rh Date dictated 3/25/86

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Account Number 415 549-3293 200 N 4

Page 4

Statement Date Nov 20, 1985
Next Statement Date Dec 20, 1985

Pacific Bell

Zone 2 and 3 Calls	Itm	Date	Time	Min	* Zone	Place and Number Called	Charge
	1	Oct22	535P	1	DE	2	.06 ^{b6}
	2	Oct22	536P	3	DE	2	.10 ^{b7c}
	3	Oct22	617P	1	DE	2	.06
	4	Oct23	518P	4	DE	2	.12
	5	Oct24	329P	2	DD	2	.11
	6	Oct24	600P	1	DE	2	.06
	7	Oct24	729P	1	DE	2	.06
	8	Oct25	1031A	1	DD	2	.08
	9	Oct26	1021A	1	DN	2	.03
	10	Oct26	1056A	1	DN	3	.04
	11	Oct27	1118A	1	DN	3	.04
	12	Oct27	1126A	1	DN	3	.04
	13	Oct27	109P	6	DN	2	.09
	14	Oct28	613P	1	DE	2	.06
	15	Oct29	717A	1	DN	2	.03
	16	Oct31	708A	1	DN	2	.03
	17	Oct31	1107A	1	DD	2	.08
	18	Oct31	358P	4	DD	2	.17
	19	Nov 1	600P	2	DE	2	.08
	20	Nov 2	123A	8	DN	3	.18
	21	Nov 2	137P	1	DN	2	.03
	22	Nov 2	355P	2	DN	2	.04
	23	Nov 2	614P	1	DN	3	.04
	24	Nov 2	615P	5	DN	3	.12
	25	Nov 2	747P	1	DN	3	.04
	26	Nov 2	913P	9	DN	2	.13
	27	Nov 3	1146P	1	DN	3	.04
	28	Nov 4	955A	4	DD	2	.17
	29	Nov 4	205P	2	DD	2	.11
	30	Nov 4	218P	7	DD	3	.40
	31	Nov 5	1114A	1	DD	2	.08
	32	Nov 5	124P	10	DD	2	.35
	33	Nov 5	157P	4	DD	2	.17
	34	Nov 5	211P	4	DD	3	.25
	35	Nov 5	425P	4	DD	2	.17
	36	Nov 5	438P	10	DD	2	.35
	37	Nov 5	458P	4	D1	2	.15
	38	Nov 5	716P	5	DE	2	.14
	39	Nov 6	350P	2	DD	2	.11
	40	Nov 6	352P	1	DD	2	.08
	41	Nov 6	352P	1	DD	2	.08
	42	Nov 6	354P	2	DD	2	.11
	43	Nov 6	541P	1	DE	2	.06
	44	Nov 8	1110A	1	DD	2	.08
	45	Nov10	1018P	1	DN	3	.04
	46	Nov12	707P	1	DE	3	.07
	47	Nov14	759P	1	DE	2	.06
	48	Nov17	240P	1	DN	3	.04
	49	Nov20	224P	1	DD	2	.08
	50	Nov20	226P	2	DD	2	.11
	51	Nov20	229P	1	DD	2	.08
	52	Nov20	231P	2	DD	2	.11
	53	Nov20	234P	4	DD	2	.17
	54	Nov20	859P	19	DE	3	.70
	* See Rate Key on Reverse						
	Zone 2 and 3 Call Subtotal						\$6.28

Account Number 415 549-3293 200 N 4

Page

Statement Date Nov 20, 1985

Next Statement Date Dec 20, 1985

Pacific Bell

Other Charges and Credits	Itm	Charge
	1 Installation Payment Number 2 of 3 Under Your Installation Plan	14.16
	Other Charges and Credits Subtotal	\$14.16
Monthly Charges and Credits	Itm	Charge
	2 Monthly Service Nov 20, 1985 thru Dec 19, 1985	19.45
	3 Charges for Network Access for Interstate Calling, Imposed by Federal Communications Commission	1.00
	4 Directory Assistance - 411	
	5 Calls No Charge 44 Additional Calls @ \$.25	11.00
	5 Rate Surcharge	1.52
	6 State Regulatory Fee	.06
	7 Per State Law--Communications Devices for the Deaf	.03
	8 Tax: Fed: 1.88 911: .31 Local: 3.45	5.64
	Monthly Charges and Credits Subtotal	\$38.70
Total	Pacific Bell Current Charges	\$82.45

Account Number 415 549-3293 200 N 4

Page

Statement Date Nov 20, 1985
Next Statement Date Dec 20, 1985



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Who to call For billing questions call: No Charge 1 800 222-0300

Calls	Itm	Date	Time	Min	*	Place and Number Called	Charge
	1	Oct23	800P	1			.33
	2	Oct23	302P	9		From	6.68
	3	Oct24	1027A	1			.56
	4	Oct29	414P	1		From	3.56
	5	Nov 2	1205P	4			.69
	6	Nov 2	458P	3		Coll	1.54
	7	Nov 6	228P	1			.56
	* See Rate Key on Rev						
Call Subtotal							\$13.92

Monthly Charges and Credits	Itm	Charge
	8 California Universal Lifeline Service Surcharge	.06
	9 Tax: Fed: .42 911: .01 Local: .09	.52
Monthly Charges and Credits Subtotal		\$.58

Total AT&T Communications Current Charges \$14.50

This portion of your bill is provided as a service to AT&T Communications. There is no connection between Pacific Bell and AT&T Communications. You may choose another company for your long distance calls while still receiving your local telephone service from Pacific Bell.

INVESTIGATION CONCERNING SCREAMS AND OTHER SUSPICIOUS ACTIVITIES
THE NIGHT OF TIMOTHY LEE'S DEATH REPORTED BY [REDACTED]
[REDACTED]

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 3/5/86

On February 28, 1986, a copy of a typed one page statement signed [redacted] and dated February 23, 1986, was received at the Oakland, California office of the Federal Bureau of Investigation, and was addressed to "Federal Bureau of Investigation, #1 Kaiser Plaza, Oakland, Ca. 94612, Attn: Agent [redacted]"

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[Large redacted box]

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FD-302: A copy of the statement follows as page two of this

Investigation on 2/28/86 at Oakland, California File # SF44-2373

by SA [redacted] /rh Date dictated 3/5/86

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 3/20/86

[redacted] telephonically contacted the Concord Resident Agency of the Federal Bureau of Investigation. She stated she was calling to advise that she feels strongly that her recollections regarding the screams she heard and the things she observed on the morning of November 2, 1986 are correct [redacted]. She advised she had talked with [redacted] of the Concord Police Department the previous day to modify her statement now that she has [redacted].

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She stated that she now believes she probably dreamed about seeing a female in a brown police type uniform. She stated the person she saw was probably a male Bay Area Rapid Transit (BART) policeman or some other type of police officer.

She then stated that there was both a female in a brown uniform and an additional police officer in the BART parking lot and there were several police cars also present. She doesn't recall the color of the police cars. The female in brown was near the cars and other officers were standing around, one on the sidewalk near a driveway. She advised that when she saw all the police, she thought to herself, "With all these people, they don't need me," and returned to her home. She stated she is certain that she was chased by some kind of police officer, however, he did not chase her home but only toward her and did not leave the BART parking lot. She stated she was terrified and did not look back. She stated she is not positive that she saw the patrol cars previously mentioned but recalls the police she saw wore blue or dark blue uniforms.

She stated she also saw a group of about six people gathered around a red car and in the center of the group was a young man in his twenties, wearing a plaid shirt and with short brown hair and angular features.

She also stated that she believes she never dialed 911 for the police when she returned to the house. She advised she now thinks that she did dial 911 and it was

Investigation on 3/11/86 at Concord, California File # SF 44A-2373

by SA [redacted] /bav Date dictated 3/17/86

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Continuation of FD-302 of

[Redacted]

, On 3/11/86 , Page 2*

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busy. She stated this may or may not be true, she isn't sure.

It is noted that [Redacted] appeared to be confused and somewhat disoriented during the conversation.

INVESTIGATION REGARDING

[REDACTED]

[REDACTED]

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CONCORD POLICE DEPARTMENT
Offense Report

SUPP X(02) Typ .. Key

Cr 85-22679

Class : CORONER'S CASE
Rept date : 110285 time 1236
Occur date : CONTINUOUS INVESTIGATION
Location : MT. DIABLO ST. AT LAGUNA ST.
Routing : DETECTIVE BUREAU

PERSONS -----

A-arrestee S-suspect W-witness V-victim O-owner
C-complainant J-subject K- c/v B-business victim

Invl : V
Name : LEE, TIMOTHY CHARLES..... Phone H: typ : H
Addr : B:
City : st: CA Dl#: st: ..
Dob : r: . s: . ht: ... wt: ... hr: ... ey: ... ss#:b6
: SEE ORIGINALb7C
:

Invl :
Name :
Addr :
City :
Dob :



PROPERTY/EVIDENCE -----

PROPERTY CODES:

Involvmt: E-evidence F-found K-safekeeping L-lost
S-stolen R-recovered O-safety of others
Category: A-automotive B-bicycle C-camera D-dollars/money
E-equip/tools H-househld appl K-credit cards M-musical instr
T-television V-viewing equip W-weapons Y-other

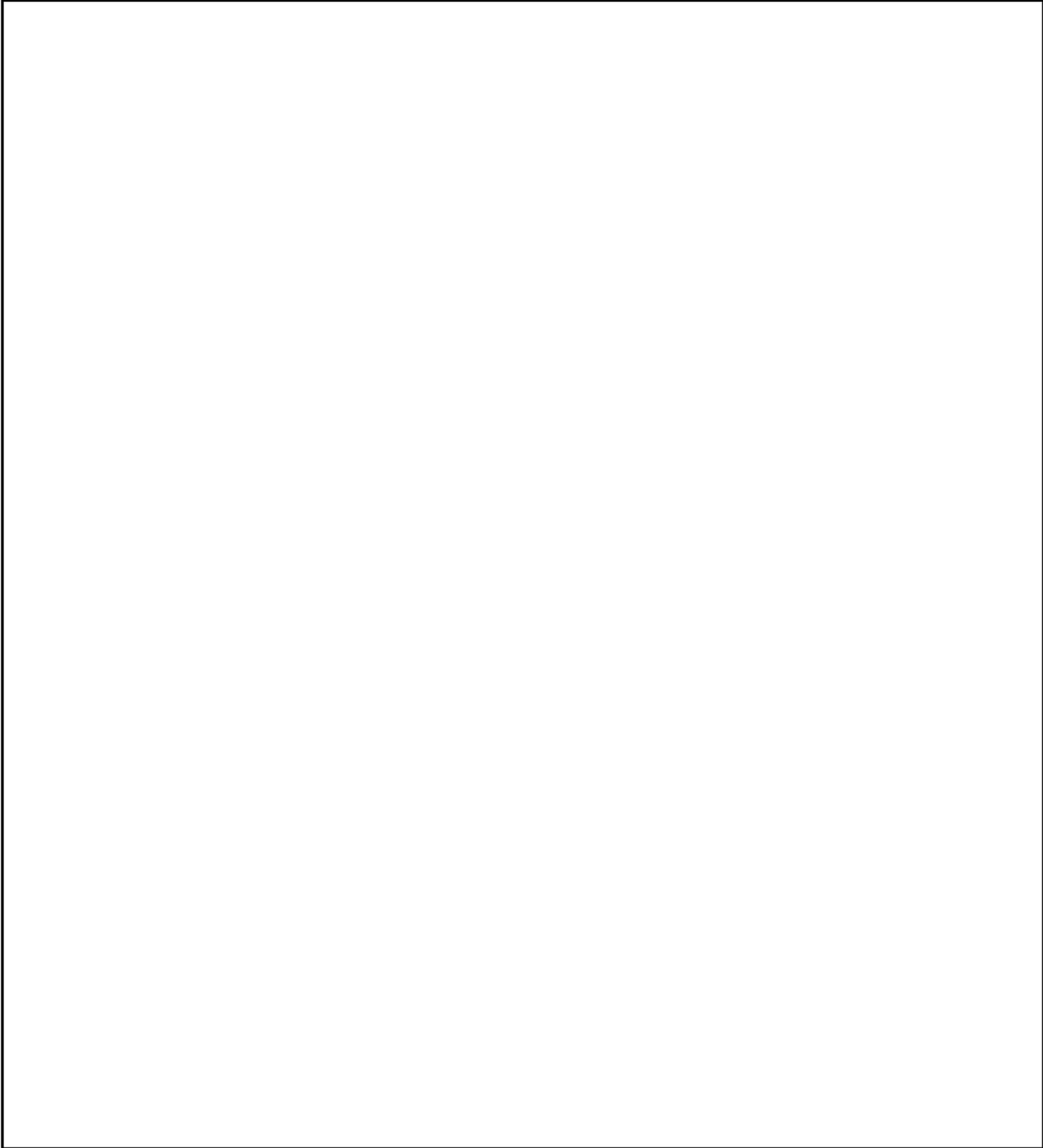
#: 001 Inv cd: E Cat cd: Y Article: TAPE CASSETTE Brand:
Mod : Ser#: Val: Disp cd: P..
OAN : Pieces : Desc :
: INTERVIEW WITH 

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REPORT NARRATIVE -----

3/26/86

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04/01/86

I submitted a request to the ID Bureau to compare [redacted] fingerprints with the latent print found on V Lee's suicide note. I also requested that [redacted] fingerprints be compared with the latent print. b6 b7C

4/15/86

ID Tech. [redacted] advised me that the results of the print comparison on all three subjects were negative. b6 b7C

Case closed.

[redacted]

4/17/86 1600

df 4/17/86 2115

CONCORD POLICE DEPARTMENT
TECHNICAL SERVICES UNIT
REQUEST & RESULTS OF LABORATORY EXAMINATION

CASE NUMBER 85-22679	REQUEST	DATE REQUESTED 4/1/86		b6 b7C
--------------------------------	---------	---------------------------------	--	-----------

TYPE OF CASE CORONERS CASE	LOCATION	DATE(S) EXAMINED 4/15/86
--------------------------------------	----------	------------------------------------

SUSPECT(S)
[REDACTED]

- PROCESS EVALUATE COMPARE OTHER

DESCRIPTION OF EVIDENCE
COMPARE WITH LATENTS ON SUICIDE NOTE

RESULTS OF LABORATORY EXAMINATIONS

- | | |
|--|---|
| <input type="checkbox"/> ITEMS PROCESSED WITH NEGATIVE RESULTS | <input type="checkbox"/> NO FINGERPRINTS OF SUSPECT(S) AVAILABLE |
| <input type="checkbox"/> PRINT(S) HAVE INSUFFICIENT DETAIL | <input type="checkbox"/> NO PALM PRINTS OF SUSPECT(S) AVAILABLE |
| <input type="checkbox"/> FINGERPRINTS OF POSSIBLE VALUE | <input checked="" type="checkbox"/> PRINTS COMPARED WITH NEGATIVE RESULTS |
| <input type="checkbox"/> PALM PRINTS OF POSSIBLE VALUE | <input type="checkbox"/> PRINT IDENTIFICATION |

[REDACTED]	TITLE	[REDACTED]	b6 b7C
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INVESTIGATION REGARDING

[REDACTED]

[REDACTED]

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SF 44A-2373
RJH/bav

The following investigation regarding any connection
between [redacted]
and the death of TIMOTHY LEE was made available by [redacted]
[redacted] Concord Police Department, on May 15, 1986:

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MEMO

TO : [redacted]
 FROM : [redacted]
 DATE : 04/14/86

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On 01/28/86, I was assigned the follow-up investigation in regards to the death of Timothy Lee and any possible links [redacted]
 [redacted] In the initial stages of the investigation, I began by going back to the date, 11/01/85, with respect to a party that occurred on that evening and went on into the morning of 11/02/85. This party occurred [redacted] At the time of the party, the house [redacted] however, shortly after the party and having nothing whatsoever to do with the party, [redacted] sold the residence.

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I then contacted Diversified Realty, phone no. 674-0103 who was handling the sale of the property and talked to [redacted] He put me in touch with [redacted] phone no. [redacted] who advised me that she had been handling the rental of that property during the time in question. [redacted] told me that there were some serious problems with current litigation on the property at [redacted] The real estate company was not sure they wanted to become involved in this situation. [redacted] was advised of the situation and then advised me that she felt that she could provide the information, provided there were no legal issues arising from this matter.

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Her records indicated that the persons who rented the residence at [redacted]

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[redacted] indicated that there had never been a problem with payment of rent, as it was always paid on time and in full since this couple had moved in, in February 1984.

The premises had been vacated on or about 12/01/85 due to legal problems with the contract and in regards to the sale of the property. The tenants, [redacted] moved without being notified or without being evicted.

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On 01/30/86, I received a telephone call from [redacted] [redacted] at approximately 0835 hours. She indicated that the people who have been living at the address on [redacted] were back at the house at [redacted]

[redacted] I made arrangements with [redacted] and went to that location with the intent to make contact with the subjects who had been living at that address. Upon arrival, it was noted that the vehicle in question, that being reported [redacted] was gone from the scene.

I made contact with [redacted] and asked her to describe the vehicle that had been in the driveway. All that she could provide in the way of a description was that it was old, light blue, and possibly a big sedan type, with no further information. I continued to talk to [redacted] in reference to a party which may have been held in that area. She indicated that there were parties being held at that residence constantly, and the size of the party seemed to be growing over a period of time. She indicated that on 11/01/85, in particular, the party was held at that address [redacted]. She stated that the party was extremely large, and there were vehicles parked on both sides of the street, all up and down the area. She indicated that the party was a Halloween party due to the fact that there were several people in attendance who were wearing costumes. She further indicated that it was a normal activity for there to be parties at that location, especially on Friday and Saturday nights.

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I questioned her with respect to having ever seen anyone or having made contact with anyone at that residence over the period of time in which she had resided in the neighborhood. She indicated that she initially had attempted to befriend the people there, however, decided she would not do so after having seen the friends and other persons visiting at that location.

I asked if she had seen any persons wearing military type uniforms and or KKK type robes and she indicated that she had never had seen anyone of that description at that residence or in the area. She indicated that her description of the people living there would be hippies with regards to a general overall description of those people at that address.

I next made contact at [redacted]

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[redacted] She stated that she did recall that on the evening of 11/01/85, there was a tremendous amount of noise just at midnight and shortly thereafter. Her bedroom is in the rear of the house, however, she was still able to hear the noise from the street from people leaving next door. The party apparently continued for some time, after midnight, or thereabouts and she did not see anyone out on the street.

Next I made contact at [redacted]

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He told me that since the people moved in to [redacted] there was so much traffic, coming and going, that he quit paying attention to anything that was going on at that residence. He indicated that he felt there was constant drug dealing going on at the residence due to the fact that most of the traffic would only be there for five minutes. For a period of time, there was even a sign that indicated that they were

open, with the reverse side indicating that they were closed. The sign would be placed in the front of the house. When the closed sign was out, people would drive up, pause, and then continue driving away. If the open sign was up, people would come in, stay for a few minutes, and then leave. [redacted] did not see anyone in sheets or anything appearing similar to a clan robe, nor has he seen anyone in any type of a military uniform. [redacted] and he has never seen anyone wearing anything similar to a clan robe. [redacted]

[redacted] and I was unable to locate him because he is not living at that address for the time being.

I next made contact at [redacted]

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He indicated that on Friday night, the first of November, he heard the party going on, however, did not note anyone wearing clan robes or any military uniforms. He did indicate that he saw possibly three or four people enter the residence dressed as Kiss, the rock group, with their faces painted and hair colored as though they were members of that rock group. He indicated that the traffic going in and out of that residence was fairly heavy and people were walking up the street from the west, and this is when he observed the people in costume.

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I asked him if he knew the names or was familiar with anyone at that house. He stated the only person he knew was a subject named [redacted] that [redacted] but stated that he knew nothing more. He told me that [redacted], but he wasn't sure of that information since he had only had occasional conversations with [redacted] and that was the extent of his contact with the residence.

He indicated that he has [redacted] and that he has never seen anyone wearing any type of robe or other item that could be considered to be a KKK robe. Nor has he seen anyone wearing a uniform, of any sort, other than police officers in the neighborhood.

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I made contact at [redacted]

[redacted] was aware that there was a Halloween Party going on, as people had been gathering for several minutes and were entering the residence. Vehicles were parked up and down the street and traffic was heavy in the area. He indicated that there was a witch and several other kinds

of costumes which he cannot recall. He indicated that approximately 50% of the people that he saw entering were wearing costumes, and in this one particular group, there were six that were wearing sheets. He further indicated that this is the only time he has ever seen anyone in the neighborhood, anyone at that residence, or anyone going into that residence, wearing any type of clothing that could be considered KKK robes.

I asked him if he was aware of any black families living in the area, or that might have lived in the area. He indicated that there was a black family living about three doors up the street from a Concord Police Officer, however, they moved last October. I asked him if he was aware of any racial harassment that had occurred in the neighborhood, and he indicated that he had never heard of any in the neighborhood, and that the people at [redacted] kept to themselves, pretty much, and did not leave the residence very much at all. There was a lot of coming and going to the house, however the traffic was from out of the area and did not loiter about in the area. The house that the black family lived in was a rental house, and he has no idea as to where the people may have moved.

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He indicated that on the evening of 11/01/85 [redacted]

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[redacted] He further indicated information that supported [redacted] information in the respect that there were always parties on the weekends, and that there was a lot of short-visit traffic in the area.

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I next made contact with [redacted]

As a result of our conversation, other attendees of the party [redacted] were identified. [redacted] told me that he had been at the party at [redacted]

[redacted]

I made numerous attempts to make contact with [redacted] I called her parents' home, and they advised that she no longer resided at that residence. They refused to provide any further telephone number so that contact could be made.

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[redacted] and his

whereabouts are unknown. It became apparent at this point in time, that due to the fact that a preliminary exam had been conducted and that this case is beginning to receive some notariety witnesses were becoming less cooperative and making themselves more difficult to contact. b6 b7C

On 02/26/86, at approximately 1400 hours, I was able to make contact with [redacted]

While there, I asked if he had heard any talk of blackbanging or lynching of blacks, or any other type activities that would be racial in nature, and he stated that he had not. He indicated that after the party he had heard that something had happened with [redacted] and [redacted] but thought the story being related to him was a lie, and that he was shocked by the news that [redacted] and [redacted] had been involved in a stabbing. b6 b7C

He indicated that there were no blacks at the party, nor had he ever seen any at that residence. He had only visited that residence on one prior occasion. He too indicated that approximately half of the people at the party were in some sort of a costume. He stated he was not wearing a custome, however, there were many other costumes in attendance.

I made an attempt to determine if any of the persons in attendance at the party and any of the persons whose names appeared on the list that was discovered in the property [redacted] could be linked to the KKK.

I made contact at the Department of Justice in Sacramento with [redacted] [redacted] She advised me that due to regulations there are no lists of known KKK members as they are not allowed by law to investigate groups just for the mere investigation of the group. Only if there is a criminal act that can be attributed to that group are investigations allowed and as such, no criminal activity at this point has been attributed to the KKK directly and as such no investigation is ongoing. Therefore, there are no lists of known active members in any area of California. b6 b7C

As a result of the contacts made it has been determined that there was in fact a party on the evening of 11/01/85, that continued to after midnight on 11/02/85, and some of the people identified as having been

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As a result of all of these contacts and of talking [redacted]

[redacted] it was determined that all the stories remained consistent. The only inconsistency had to do with the size of the party and it varied in size from 20 to 60 people, depending on whom you were asking. They did agree, however, on the percentage of those people in costumes and those that were not in costume, 50% or half of the people in attendance appeared to have been wearing costumes and every witness contacted stated that at no time was there any talk of any blackbanging nor was there any talk of anything of a racial nature, which would indicate that people were planning any racial attacks at that location.

The witnesses all indicated that it was a Halloween Party which was being conducted at that location and was nothing more than a Halloween Party. The subjects [redacted] were wearing costumes made of sheets and had been helped in that respect [redacted]

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The scope of the investigation then returned to the original Lee investigation. At this point in time, our attempts to make contact with a subject named [redacted] proved fruitless, however, within [redacted]

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That information, in regards to that interview, should be contained in a report by [redacted]

Contact was made with [redacted] and that information too is contained in a report by [redacted]

I made contact with the pathologist, on 2/19/86, at 1235 hours. I talk to [redacted] Contra Costa County Coroner's Office. [redacted]

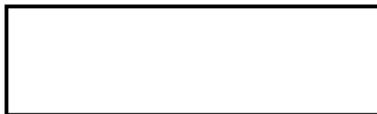
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At this point in the investigation, based on contacts made with numerous witnesses, it appears that there is no direct link between the party at [redacted] and Timothy Lee. Both incidents, based on information gathered, have been determined to be

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separate and distinct incidents, having nothing in common at this time.

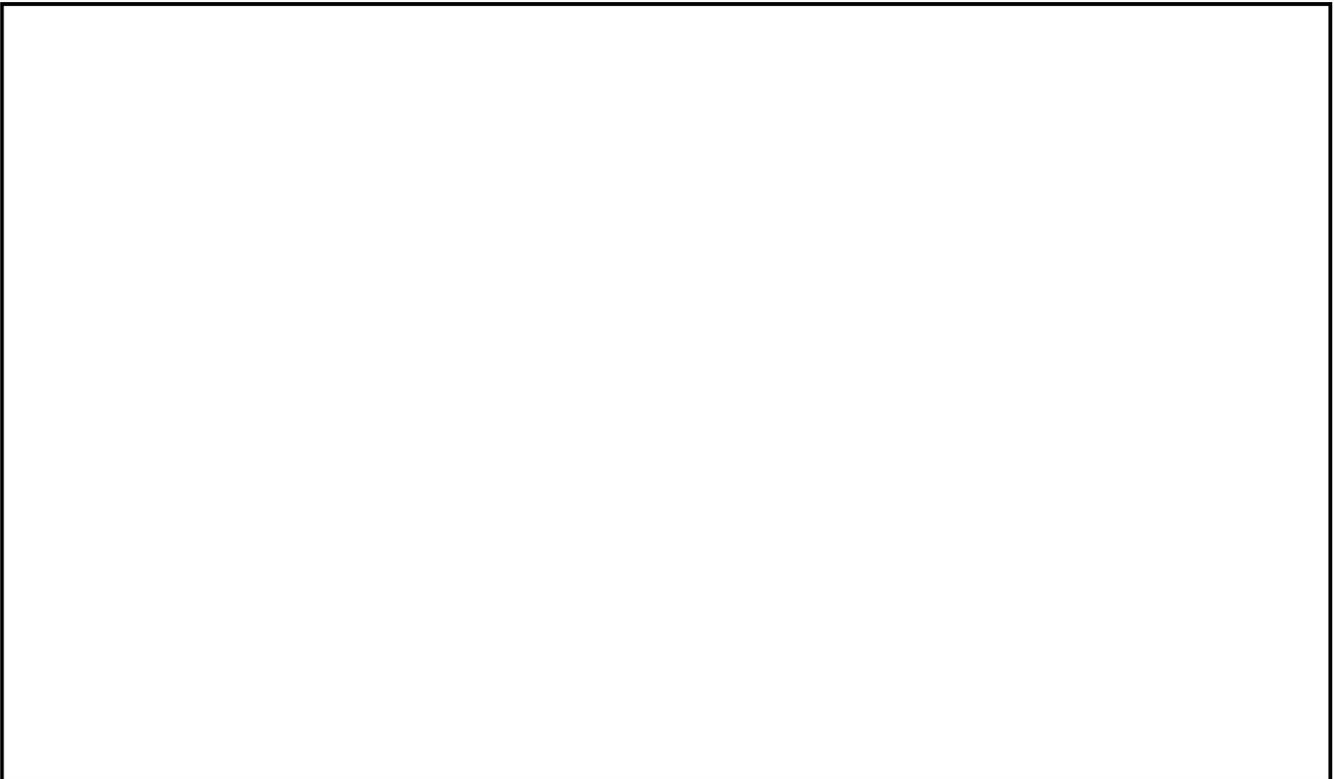
Respectfully submitted,



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SF 44A-2373
RJH/bav

The following is a synopsis of the incident regarding the attack of two white males on two black males which occurred at approximately 2:00 a.m. on the same date that TIMOTHY LEE's body was discovered at approximately 12:15 p.m.:



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The above-described incident was mentioned in numerous media reports of the hanging death of TIMOTHY LEE, however, it is noted that [redacted] were in custody of the Concord Police Department at approximately 2:00 a.m. on November 2, 1985. TIMOTHY LEE, according to witnesses and telephone toll records, [redacted]

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[redacted] from a public telephone at the Concord Bay Area Rapid Transit (BART) station until approximately 1:32 a.m. on November 2, 1985. LEE's time of death by hanging was reported as about 8:00 a.m. on November 2, 1985, by the Contra Costa County Coroner's office.

INTERVIEW OF



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SF 44A-2373
RJH/bav

On May 27, 1986, [redacted] Concord
Police Department, advised SA [redacted] that there
had been no significant new developments in the TIMOTHY
LEE case and no new evidence has been developed to indicate
the death of TIMOTHY LEE was other than a suicide.

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(Mount Clipping in Space Below)

Rally focuses on Concord racial troubles

By Kelly Gust
The Tribune

CONCORD — Susan Ramirez, whose daughter catches a school bus near the spot where Timothy Lee died, worries whether her child is safe from hate groups.

Steve Orcutt, who lives two blocks from the bar where two whites with Ku Klux Klan robes were arrested in the stabbing of two blacks on the same day Lee was found hanged, worries whether is

black stepchildren are safe from the Klan.

Shauna Gillespie is just plain scared.

Ramirez, Orcutt and Gillespie were among 125 people who gathered at the Concord Senior Center yesterday morning to talk about Concord's racial problems.

Organized by the NAACP, the meeting was prompted by the Nov. 2 death of Lee and by more than 30 complaints of racial intolerance, police brutality and housing discrimination filed with the NAACP by Concord residents in 1985.

Lee, a 23-year-old gay black art student, was found hanging from a tree near the Concord BART station. Lee had fallen asleep on the train, missed his Berkeley stop, and missed the last train back for the day.

Lee called friends to pick him up, but when they were unable to get him a ride, he said he would find his own way home. But he was found at noon the next day hanging from a tree. A poorly written suicide note with the names of his family members misspelled was found nearby.

His family has refused to accept the Concord Police Department's ruling of suicide, and the FBI, at the NAACP's

urging, has been investigating the case.

Lee's death has become a rallying point for blacks who point to 1982 Klan attacks

against black families in Pinole and the arrest of the two white-robed men in Concord as indications that Lee may have been the victim of a racial attack.

Police said the Klan costumes were merely a Halloween prank.

"I've read certain officials in this city are unaware of Klan activities in Concord," said Shauna Gillespie. "I think the incident on Monument Boulevard, the simple fact that they were wearing Klan attire, should make the connection clear. It's insulting to me as a black woman in this community, and I'm scared. . . .

"If a person had a hood and a robe on, that's where their head's at, whether or not they've got the membership."

The group protested angrily when police Chief George Straka, who was there to answer questions, said: "I don't know who heads the Klan. I don't know if there is a Klan group in Concord."

Many in the group insisted that the two incidents on Nov. 2 were related, a theory that the police have dismissed.

Straka said the department is not trying to cover up anything and that he was sorry to hear that people were afraid to call the police department.

After Pittsburg's NAACP spokesman, Moses Coleman, said the group knows where and how the Klan works in Contra Costa, Steve Orcutt of Concord demanded the details.

"I want that information so we can protect ourselves," Orcutt said.

Susan Ramirez of Antioch said her biggest worries are her

children's safety when they attend Mount Diablo High School, just blocks from the Concord BART station.

"Last year they were handing out pamphlets on campus," Ramirez said. "They weren't exactly Klan literature, but had racial remarks."

And the number of name-calling incidents on campus are increasing greatly, Ramirez said.

Thordie Ashley, secretary of the Emeryville chapter of the NAACP, which has been compiling information on the Lee case, warned Contra Costans

(Indicate page, name of newspaper, city and state.)

Date: 2-23-86
Edition: Final
1 The Tribune
Oakland, Ca.

Title:

Character:
or
Classification:
Submitting Office: SF

Indexing:

*Timothy Lee
Charles Lee
44-2373*
(1/13/86)*

SEARCHED INDEXED
SERIALIZED FILED
JUL 16 1986
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44A-2373-125

that there are definitely racial problems here.

"When you can't send a child to school without being called 'nigger' . . . When you can't catch a BART train and fall asleep without being murdered, you have a helluva problem," Ashley said.

Virna Canson, West Coast director of the NAACP, announced that the group is preparing a request for the U.S. Fair Employment and Housing Commission to conduct hearings on alleged Klan activity in Contra Costa.

Although the meeting did little to answer questions about Lee's death, his family was pleased with the results.

"It put a lot more pressure on the police," his sister, Tammy Lee, said afterward.

Tammy Lee got a standing ovation as she cried and stood to address the group in the meeting.

"I just want to thank all of you who are giving me your support . . . unlike the Concord police," said Lee, who said she had no faith in the police department. "If you're going to call anybody, call a cab, call a moving van. Just get the hell out of this city because it's going to get worse before it gets better, and I'm going to make sure it gets much worse for this city."

An anti-Klan rally was held at city police headquarters after the meeting. About 75 members of the John Brown Anti-Klan Committee from San Francisco showed up. The committee has also picketed outside the courtroom at hearings for the two Concord men arrested in the stabbing attacks.



*Elizabeth Casey
Victim's stepmother*



By Bill Knowlton/The Tribune

Tammy Lee listens to police Chief George Straka.

(Mount Clipping in Space Below)

Racism hearing prompted by Concord death

By Elizabeth Fernandez
OF THE EXAMINER STAFF

CONCORD — This snug, suburban, mostly white enclave in Contra Costa County is a hotbed of racist activity.

So said one side, primarily members of the NAACP, in a hearing yesterday.

Not true, countered several Concord officials, who painted a more benevolent picture of the town where 100,000 people live, less than 2 percent of them black.

Little racial strife exists, these city leaders said, and none of it is generated by the Ku Klux Klan.

These starkly divergent views were expressed yesterday morning at a workshop attracting 110 people.

The impetus for the session was the death of Timothy Lee, 23, a black Berkeley resident and promising art student who was found dangling from a noose Nov. 2 outside the Concord BART station.

The presence of a suicide note and the absence of physical signs of a struggle have, in part, led police to conclude that the death was a suicide.

Lee's family, however, insists that he was the victim of a racist lynching.

The family says attacks on two black men in Concord by two white men clad in Klan robes on the night of Lee's death add weight to their premise. The FBI is now investigating.

In a heartfelt plea during yesterday's meeting, Lee's sister said the police are trying to whitewash a murder.

"Thank you for supporting me, unlike the Concord police," Tammy

Lee said, weeping. "It didn't look like suicide to me and I know I'm not crazy because other people think so, too."

Lending support to Lee's family at the meeting was Moses Coleman, head of the Pittsburg branch of the National Association for the Advancement of Colored People.

"We do not buy the idea that it was suicide," he said. "It was not. Not one shred of evidence has come to prove that it was suicide."

One piece of possible evidence — the nylon strap from a pack that Lee was carrying — was destroyed, making it harder to prove murder, NAACP members said.

Concord Police Chief George Straka said the strap was destroyed by the coroner's office because Lee's death was ruled a suicide and consequently the strap was not needed as evidence.

Disposal of property in such cases "was a policy that we were unaware of," Straka said. "That policy has been changed." The coroner's office now holds onto such material for several weeks.

He said Klan-style racist activity has not been noticed: "I do not know of any Klan leader in this community; I do not know of any Klan activity."

Larry Gatewood said otherwise.

A member of the John Brown Anti-Klan Committee, which organized a demonstration outside the police station following the workshop, Gatewood said racial unrest has permeated the county, with dozens of black people stabbed and shot.

"A real brand of terror is being practiced," he said. "Historically, Contra Costa County has been a real center of racial activity."

(Indicate page, name of newspaper, city and state.)

Date: 2-23-86
Edition: 4 Star
S.F. Sunday Examiner
Pg. B-1
Title: San Francisco, Ca.

Character:
or
Classification:
Submitting Office: SF

Indexing:

Five years ago, a series of hearings were held in the western part of the county to investigate violence against black residents. A number of incidents were found to be racially motivated.

In one note of optimism yesterday, Virna Canson, regional director of the NAACP, said that Lee's death might lead to forming an NAACP chapter in Concord and to improving the city's racial climate.

Further, the city council might bring back a human relations committee, Concord officials said, a group once active in town but now disbanded.

*Timothy
Charles
Lee*
44-2373*
(1/13/86)

SEARCHED INDEXED
SERIALIZED FILED
JUL 16 1986
FBI - CONCORD
Concord PA

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44A-2373-124

Memorandum



To : SAC, SAN FRANCISCO (94-939, SUB B)

Date 3/26/86

From : SA [Redacted]

Subject : UNSUB(S);
TIMOTHY CHARLES LEE (DECEASED) - VICTIM
CIVIL RIGHTS



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Approved
[Signature]

SERIALIZED *[initials]* FILED *[initials]*
APR 16 1986
SA [Redacted] KJA

3 San Francisco
1- 94-939, Sub B
1- 44A-2373
1- SA [Redacted]

44A-2373-127

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Memorandum



To: SAC, San Francisco (44-2373)
Attention: SA [redacted]

Date 4/18/86

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From : Director, FBI

Subject : UNSUB(S);
TIMOTHY CHARLES LEE (Deceased) - VICTIM;
CIVIL RIGHTS

[redacted]

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All documents are enclosed herewith, for appropriate filing.

Enclosures (7)

1 - San Francisco (94-939)

SEARCHED _____	INDEXED _____
SERIALIZED <i>al</i>	FILED <i>al</i>
APR 21 1986	
SAN FRANCISCO	
[redacted]	<i>RJM</i>

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44A-2373-129

Memorandum



To : SAC, SAN FRANCISCO (44A-2373)

Date 6/25/86

From :

UBS
SSA

[Redacted]

ORA #2

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Subject : TIMOTHY CHARLES LEE
CIVIL RIGHTS

On 6/25/86, writer was contacted by [Redacted] the Emeryville Chapter of the NAACP. [Redacted] stated that she had read that the FBI has completed the investigation into the death of TIMOTHY LEE. She inquired as to how she could obtain a copy of the FBI's report on the LEE matter. She was advised that the FBI had forwarded a report of it's investigation to the Department of Justice for review. She then stated that she would write to the Department of Justice to request the report and asked if writing to them in a month or two would give them time to review the investigation. She was advised that it would be hard to predict how long the DOJ review might take, but that she was certainly welcome to write to them requesting the report.

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[Redacted] also mentioned the hanging death on 6/24/86 of JACQUELINE PIERCE in Lafayette. She inquired if writer or SAC RICHARD HELD would be the best person to write to in order to request an investigation into the death of PIERCE. She was advised that SAC HELD was in charge of the entire San Francisco Division, and she responded that she would write to him.

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Writer had previously contacted [Redacted] Contra Costa Sheriff's Office, regarding the death of PIERCE. [Redacted]

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[Redacted] He also advised that in light of the LEE case, that his office had notified the Concord Office of the FBI of the PIERCE death.

① 44A-2373
1-44-0
1-SAC HELD
1-ASAC [Redacted]
1-ORA #2

SEARCHED	INDEXED
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JUN 25 1986	
SAN FRANCISCO A	
[Redacted] <i>KJA</i>	

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44A-2373-138

(Mount Clipping in Space Below)

Feds close inquiry into Lee's hanging

A federal investigation into the 1985 hanging death of a young black man in Concord did not turn up any evidence that the victim's civil rights were violated and the case has been closed.

Concord police concluded that Timothy Lee, 23, of Berkeley hanged himself from a fig tree near the Concord BART station Nov. 2, 1985. However, the NAACP, which criticized the police conclusion and called for the FBI to investigate, still contends that Lee was killed. Lee's family and the NAACP claim Lee was lynched because he was black and open about his homosexuality.

The U.S. Department of Justice reviewed a 141-page report compiled by the FBI and ruled in October that there was no indication that Lee's death involved violations of federal law.

"It didn't merit prosecution," said Deborah Burstion-Wade, a spokeswoman for the Department of Justice in Washington, D.C. "As far as our jurisdiction is concerned, the case is closed."

Thordie Ashley of the NAACP office in Emeryville disagrees.

"It's inconclusive," Ashley said. "It didn't rule it suicide or rule it murder."

Burstion-Wade said her department's task was not to conclude if Lee killed himself, but whether his civil rights guaranteed by federal law were violated.

The NAACP obtained a copy of the FBI report reviewed by the Department of Justice, but less than a third of the original document was released and many pages were heavily censored.

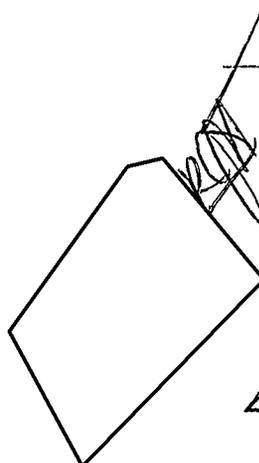
Ashley said the NAACP will now turn to the courts for a final resolution. A lawsuit has been filed and is pending against BART and Concord police alleging wrongful death, Ashley said.

(Indicate page, name of newspaper, city and state.) *Page 5A*
CONTRA COSTA TIMES
WALNUT CREEK, CA
Date: *1/30/87*
Edition:

Title:

Character:
or
Classification:
Submitting Office:

Indexing:



44A-2373-140

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Routing Slip
0-7 (Rev. 10-9-84)

(Copies to Offices Checked)

TO: SAC, *San Francisco*

TO: LEGAT,

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|--|--|---|--------------------------------------|
| <input type="checkbox"/> Albany | <input type="checkbox"/> Houston | <input type="checkbox"/> Oklahoma City | <input type="checkbox"/> Bern |
| <input type="checkbox"/> Albuquerque | <input type="checkbox"/> Indianapolis | <input type="checkbox"/> Omaha | <input type="checkbox"/> Bogota |
| <input type="checkbox"/> Alexandria | <input type="checkbox"/> Jackson | <input type="checkbox"/> Philadelphia | <input type="checkbox"/> Bonn |
| <input type="checkbox"/> Anchorage | <input type="checkbox"/> Jacksonville | <input type="checkbox"/> Phoenix | <input type="checkbox"/> Canberra |
| <input type="checkbox"/> Atlanta | <input type="checkbox"/> Kansas City | <input type="checkbox"/> Pittsburgh | <input type="checkbox"/> Hong Kong |
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| <input type="checkbox"/> Detroit | <input type="checkbox"/> New Orleans | <input type="checkbox"/> Tampa | |
| <input type="checkbox"/> El Paso | <input type="checkbox"/> New York City | <input type="checkbox"/> Washington Field | |
| <input type="checkbox"/> Honolulu | <input type="checkbox"/> Norfolk | <input type="checkbox"/> Quantico | |
| <input type="checkbox"/> ASAC, Brooklyn-Queens (MRA) | | | |

9/19/88
Date

RE:

SF. 44A-2373

- Retention For appropriate
- For information optional action () Surep, by _____
- The enclosed is for your information. If used in a future report, () conceal all sources, () paraphrase contents.
- Enclosed are corrected pages from report of SA _____ dated _____

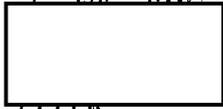
Remarks:

The enclosed U. S. Department of Justice Notice of File Closing should be placed in the appropriate field office file.

SEARCHED _____	INDEXED _____
SERIALIZED <i>ms</i>	FILED _____
SEP 23 1988	
FBI - SAN FRANCISCO	

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44A-2373-141

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Memorandum



Subject

Notice of File Closing
CIVIL RIGHTS MATTER

Date

9 SEP 1988

To

Director
Federal Bureau of Investigation

From

WR
Bradford Reynolds
Assistant Attorney General
Civil Rights Division

Reference is made to your field office file captioned as
on the attached closing form and numbered SF 44A-9323.
This matter has been closed as of the date on the attached form.

CM

(Mount Clipping in Space Below)

Program targets 'hate violence'

By *Alix Christie*
The Tribune

MARTINEZ — Contra Costa County has unveiled the first comprehensive program in the country aimed at stopping a proliferation of "hate violence" that has left residents terrorized by swastikas, racist leaflets and physical violence.

The Board of Supervisors will receive the report today and consider approving the program and funding.

The "Hate Violence Reduction Project" is a program created under the direction of the county Human Relations Commission. The plan would be one of the first in the nation to bring the schools, police, prosecutors and the community together against crimes motivated by bigotry, according to commission Executive Director Fred Persily.

The county is seeking a \$70,000 grant from the private San Francisco Foundation, and looking for another \$27,500 in its own budget to pay for the program.

Persily said the number of reported incidents of crimes motivated by racial, religious or sexual intolerance have climbed since the much-publicized 1985 hanging death in Concord of Timothy Lee, a gay black man. Lee's death was ruled a suicide.

Persily said that just last week a black woman in West Pittsburg reported to the commission that a swastika had been painted on her door, along with a note that said "Get out, Negro, Black Panther."

"For every one overt incident that occurs, there must be at least 10 others that have occurred," said George Fujioka, chairman of the commission.

The difficulty of tracking such crimes, and responding to them appropriately, is the very reason the project was formed, Persily said. He is a former consultant to a commission on the subject headed by state Attorney General John Van de Kamp.

"Prior to this, an incident might occur where someone called someone a (racial epithet) and threw a baseball through their window," he said. "That would be reported as malicious mischief, yet it infuriates the community and is much more serious than that.

"It calls for a special response."

The 18-month program aims at restructuring how such crimes are treated by schools, police and the courts, by establishing new guidelines that can be followed once put into place, he said.

Harassment or physical force, which typically now are treated as misdemeanors, will be treated as felony offenses if they are caused, either wholly or in part, by hostility to ethnic background, religion or sexual orientation, he said.

In addition, every school in the county by June will include curricula that stress appreciating ethnic diversity, and teachers will be taught how to handle such incidents.

(Indicate page, name of newspaper, city and state.)

Date: 1-10-89
Edition: Metro Final
A-7 The Tribune
Oakland, Ca.

Title:

Character:
or
Classification:
Submitting Office: SF

Indexing:

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44-2373 (1/13/89)*



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44-2373

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SERIALIZED FILED
JAN 10 1989



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44A-2373-142

CDI

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 02/16/2000

To: SAC, SAN FRANCISCO (44-2373) *143*

From: Butte ITC
Archives Unit

Contact: 406-496-3838

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Approved By:

Drafted By:

Case ID #: 44-2147

Title: UNSUBS;
TIMOTHY CHARLES LEE - VICTIM (DECEASED)
CONCORD, CALIFORNIA
CR
OO: SAN FRANCISCO

Synopsis: File Destruction

Enclosures: Enclosed are 1 items.

These items are forwarded to your office since you were OO at the time our case was RUC'd. Enclosure(s) are described as follows:

- | | |
|--|---|
| <u>1</u> 1-A EXHIBITS | <u> </u> SURVEILLANCE LOGS |
| <u> </u> FD-302 ORIGINALS | <u> </u> INSERTS |
| <u> </u> LABORATORY REPORTS | <u> </u> TAX RETURNS |
| <u> </u> LATENT FINGERPRINT REPORTS | <u> </u> OTHERS |

Details: **NOTE: DO NOT BLOCK STAMP ORIGINAL ENCLOSURES.**

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NOTE: DO NOT UPLOAD

Field File No. SC 44A-2147-1A1

Serial # of Originating Document _____

OO and File No. SF 44A-2373

Date Received 8-14-86

From _____

(Name of Contributor)

(Address of Contributor)

(City and State)

By SA

(Name of Special Agent)

To Be Returned Yes No Receipt Given Yes No

Grand Jury Material - Disseminate Only Pursuant to Rule 6(e), Federal Rules of Criminal Procedure Yes No

Title: Timothy Howard Lee

Reference: _____

(Communication Enclosing Material)

Description: Original notes re interview of

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REC'D AT CLOSED FILES

FEB 17 2004

(Title) _____

(File No.) 44A-2373-1A

Item	Date Filed	To be returned		Disposition
		Yes	No	
1	7/29/86	X		LETTER DATED 2/12/86 FROM [REDACTED] IN 3 Pgs. SIGNED STATE: "COPY OF STATE. AND COPY OF A STATE. DATE 1/6/86 /BA
2	7/29/86	X		LETTER DATED 2/24/86 FR [REDACTED] NAACP, EMERYVILLE, CO. & 5 ENCLOSURES /BA
3	7/29/86	X		COPY OF TYPED STATE, DATED 2/23/86 & SIGNED [REDACTED] /BA
4	7/29/86	X		ORIG. NOTES RE INTERVIEW OF [REDACTED] /BA
5	7/29/86	X		COPY OF LETTER TO [REDACTED] FROM [REDACTED] DATED 2/4/86 /BA
6	7/29/86	X		ORIG. NOTES RE INTERVIEW OF [REDACTED] /BA
7	7/29/86	X		ORIG. NOTES [REDACTED] /BA
8	7/29/86	X		COPIES OF ① [REDACTED] /BA ② BERKELEY PD REPORT #15492-86 [REDACTED] /BA ③ [REDACTED] RE THLOMAY LEE /BA ④ CONCORD PD REPORT 85-22679 DATED 11-3-85 /BA
9	7/29/86	X		[REDACTED] /BA
10	7/29/86	X		3- POLYGRAM, 2-FD 457, 1-FD 458, 1-FD 3289 1-FD 395 /BA

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SEARCHED	INDEXED
SERIALIZED	FILED
JUL 29 1986	
FBI - SAN FRANCISCO	
MS/BA	

44A-2373-1A

Field File No. SF 44A-2373-1A(1)

OO and File No. _____

Date Received 2/14/86

From _____
(Name of Contributor)

_____ of Contributor)
(City and State)

By _____
(Name of Special Agent)

To Be Returned Yes
 No

Receipt Given Yes
 No

Yes
 No

Grand Jury Material - Disseminate
Only Pursuant to Rules 6(e),
Federal Rules of Criminal
Procedure

Description:

Letter dated 2/12/86 from
_____ enclosing
a 3 page signed
statement and copy of a statement
dated 1/6/86

44A-2373-1A(1)

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44A-2373-1A(1)

Field File No. SF 44A-2373-1A(2)

OO and File No. _____

Date Received 2/26/86

From _____

NAACP

(Address of Contributor)

Emergent Co.

By _____

(Name of Special Agent)

To Be Returned Yes

No

Yes

No

Receipt Given Yes

No

Grand Jury Material - Disseminate
Only Pursuant to Rules 6(e),
Federal Rules of Criminal
Procedure

Description: _____

A letter dated 2/24/86 from
[Redacted] NAACP, Emergent,
Co. and 5 enclosures.

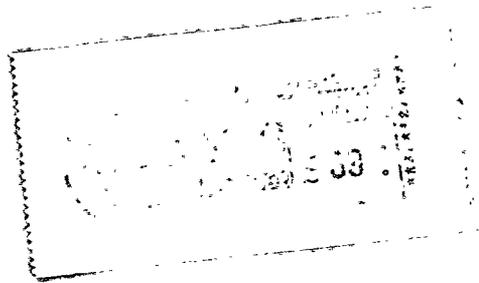
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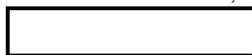
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Emeryville NAACP
5878 Doyle Street
Emeryville, Ca. 94605



Re: Timothy Lee Case



F.B.I. Agent
1 Kaiser Plaza
Oakland, Ca. 94612

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FIRST CLASS

44A-2373-1A(2)

Field File No. _____

OO and File No. SF 44A-2373-1A(3)

Date Received 2/28/86

From _____
(Name of Contributor)

(Address of Contributor)

By _____
(Name of Special Agent)

To Be Returned Yes

No

Yes

No

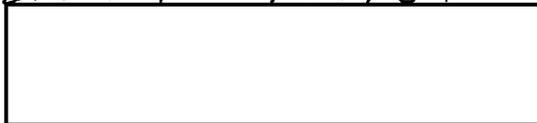
Receipt Given Yes

No

Grand Jury Material - Disseminate
Only Pursuant to Rules 6(e),
Federal Rules of Criminal
Procedure

Description: _____

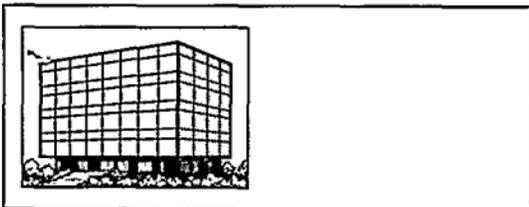
*copy of typed statement
dated 2/23/86 and signed*



44A-2373-1A(3)

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CERTIFIED

P 116 934 730

MAIL

OAKLAND CA 946
-PM
27 FEB
1986

CONCORD CA
FEB 27 1986

CLAIM CHECK
NO
855640

HOLD

DATE

1ST NOTICE

2ND NOTICE

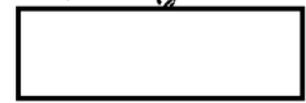
RETURN

Detached from
PS Form 3849-A
Oct. 1980

*Federal Bureau of Investigation
#1 Kaiser Plaza*

Oakland, Ca. 94612

Attn. Agent



*Tim Lee case
Field #44 - New*

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Field File No. SF 44A-2373-1A(4)

OO and File No. _____

Date Received 3/3/86

From _____

_____ (NAME OF CONTRIBUTOR)

By _____ (NAME OF SPECIAL AGENT)

To Be Returned Yes

No

Yes

No

Receipt Given Yes

No

Grand Jury Material - Disseminate Only Pursuant to Rules 6(e), Federal Rules of Criminal Procedure

Description: Original notes re interview of:

(Telephonic)

44A-2373-1A(4)

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44A-2373-1A(4)

Field File No. SF 44A-2373-1A(5)

OO and File No. _____

Date Received 3/6/86

From _____
(Name of Contributor)

(City and State)

(Name of Special Agent)

By _____
(Name of Special Agent)

To Be Returned Yes

No

Yes

No

Receipt Given Yes

No

Grand Jury Material - Disseminate
Only Pursuant to Rules 6(e),
Federal Rules of Criminal
Procedure

Description:

Copy of a letter to

from
dated

3/4/86.

44A-2373-1A(5)

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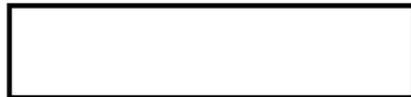
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44A-2373-1A(S)



Graphology Consultants International

8033 Sunset Blvd., Suite 432, Los Angeles, CA 90046



~~Confidential~~



Federal Bureau of Investigation
1 Kaiser Plaza Suite 801
Oakland, CA 94612

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b7c

Field File No.

OO and File No. SF 44A-2373-1A(6)

Date Received 3/11/84

From [Redacted]

[Redacted]

[Redacted]

(CONTRIBUTOR)

By [Redacted]

To Be Returned Yes
 No

Receipt Given Yes
 No

Yes
 No

Grand Jury Material-
Disseminate Only
Pursuant to Rules
6(e), Federal Rules
of Criminal Procedure

Description: Original notes re interview of

[Redacted]

(Telephone - she
called)

44A-2373-1A(6)

b6
b7C

b6
b7C

44A-2373-1A(6)

Field File No. 44A-2373-1A(7)

OO and File No. _____

Date Received 3-18-86

From _____
(NAME OF CONTRIBUTOR)

(ADDRESS OF CONTRIBUTOR)

(CITY AND STATE)

By _____
(NAME OF SPECIAL AGENT)

To Be Returned Yes

No

Yes

No

Receipt Given Yes

No

Grand Jury Material-
Disseminate Only
Pursuant to Rules
6(e), Federal Rules
of Criminal Procedure

Description:

ORIGINAL NOTES

44A-2373-1A(7)

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b7D

b6
b7C

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b7C

44A-2373-1A(7)

Field File No. 44A-2373-1A(8)

OO and File No. _____

Date Received 3-18-86

From _____
(Name of Contributor)

(Address of Contributor)

By SA _____
(Name of Special Agent)

To Be Returned Yes
 No
 Yes
 No

Receipt Given Yes
 No

Grand Jury Material - Disseminate
Only Pursuant to Rules 6(e),
Federal Rules of Criminal
Procedure

Description:

- COPIES OF:
- ① 11-20-85 TO 12-20-85 TELEPHONE BILL FOR 415-549-3293
 - ② BERKELEY PD REPORT # 15492-86 RECEIPT
 - ③ CONTRA COSTA CORONER REPORT 85-1073 RE TIMOTHY LEE
 - ④ CONCORD PD REPORT 85-22679 DATED 11-3-85
- 44A-2373-1A(8)-

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BERKELEY POLICE DEPARTMENT
2171 Mc Kinley Avenue
Berkeley, California 94703
(415) 644-6743

IMPORTANT - RETAIN THIS RECEIPT

You will be requested to provide the information on this receipt whenever you contact the Police Department or your insurance company.

REPORT RECEIPT

Report Number 15492-86 Date 3-13-86
Type of report THEFTING PHONE CALLS
Officer's name [REDACTED] Badge # [REDACTED] Phone: 644-6743
Officer's duty hours 0845 TO 1730 Days off 5+5

Please contact the above officer if you have additional information regarding your property loss.

If you have other questions with regards to the status of the investigation, contact the Detail indicated below. Inquiries should be made Monday through Friday, 8:00 AM through 4:30 PM.

- () Burglary/Theft*..... 644-6760 () Narcotics/Vice..... 644-6900
- () Forgery/Fraud..... 644-6770 () Robbery/Weapons..... 644-6790
- () General Works..... 644-6780 () Sex Crimes..... 644-6062
- Homicide/Assault..... 644-6839 () Traffic Collision..... 644-6681
- () Juvenile Bureau..... 644-6730 () Vehicle Thefts*..... 644-6655

*It is our policy to notify you immediately when your property or vehicle is located. Routine inquiries are not necessary.

Inquiries regarding verification letters of loss or theft reports and/or photocopies of traffic collision reports should be directed to the Service Division, 644-6233, Monday through Friday, 9:00 AM to 3:00 PM. There is a charge for copies of these reports.

(OVER)

RETURN OF PROPERTY

Lost and Found/Safekeeping: Property may be claimed at the public counter Monday through Friday, 9:00 AM to 11:00 AM and 1:00 PM to 3:00 PM.

Evidence: Obtain authorization for release from the Above Detail. Property may be claimed at the public counter Monday through Friday, 9:00 AM to 11:00 AM and 1:00 PM to 3:00 PM.

TO VICTIMS OF VIOLENT CRIMES Victims of violent crimes or their dependents may be compensated by the State of California for:

- Medical costs up to \$10,000
- Burial expenses up to \$1,000
- Loss of wages or support up to \$10,000
- Job retraining or rehabilitation up to \$3,000

For further information regarding this program or assistance in completing this form, contact:

COORDINATOR - VICTIM AID PROGRAM

Berkeley Police Department
2171 Mc Kinley Avenue
Berkeley, California 94703
(415) 644-6848

-or-

ALAMEDA COUNTY DISTRICT ATTORNEY'S
VICTIM/WITNESS ASSISTANCE PROGRAM

1255 Fallon Street
Court Building
9th Floor
Oakland, California 94612

-or-

VICTIMS OF VIOLENT CRIME PROGRAM

State Board of Control
926 "J" Street
Sacramento, California
(916) 322-4426

To



1000 1st St
Bost
Mass

TO SEAL - MOISTEN OTHER SIDE OF FLAP AND FOLD OVER.

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b7C

44A-2373-1A(8)

Field File No. SF 44A-2373-1A(9)

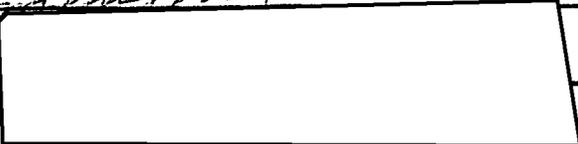
OO and File No. _____

Date Received 3/18/86

From Emeryville NAACP
(Name of Contributor)

(Address of Contributor)

Emeryville Co

By 

To Be Returned Yes

No

Yes

No

Receipt Given Yes

No

Grand Jury Material - Disseminate
Only Pursuant to Rules 6(e),
Federal Rules of Criminal
Procedure

Description:

A. Three page copy of Pacific
Bell Telephone bill for
Tel # 415 549-3293 for
10/22/86 thru 11/20/86

44A-2373-1A(9)

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b7c

44A-2373-1A(9)

Emeryville NAACP
5878 Doyle Street
Emeryville, Ca. 94608



Re: Timothy Lee

Attn: Agent
Federal Bureau of Investigation
1 Kaiser Plaza
Oakland, Ca. 94612

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