

CHAPTER THIRTY-TWO

THE CASE FOR MURDER

In Rhode Island's criminal law of homicide, the degree of culpability – and therefore punishment – hinges on the issue of intent. Apart from “murder one” -- typically reserved for the killing of law enforcement officers or other special circumstances ⁸⁵² – second degree murder is a function of “malice aforethought” as it has been for centuries. ⁸⁵³ Traffic deaths are usually associated with “manslaughter,” ⁸⁵⁴ because they involve “accidents” which are, by definition, unintended. Keep in mind that in 1971 Doris Duke was found civilly negligent in Eduardo's death. So there was clearly enough evidence to charge her under the Rhode Island Motor Vehicle statute with, “Driving so as to endanger, resulting in death.” ⁸⁵⁵ That didn't happen. But even if she'd been so charged back in 1966, her lawyers could have argued that the homicide was unforeseen and *that* might have mitigated any punishment – unless she'd been drinking.

At the time, her pro tem physician, Dr. McAllister, had insisted, “There was absolutely no evidence of alcohol in the blood of either Miss Duke or Tirella” ⁸⁵⁶ and caretaker Harold McFarlane, whom Registry

investigator Perrotti *did* interview, told him that “Miss Duke seldom drank alcoholic beverages.”⁸⁵⁷

But common-law husband Joe Castro told his L.A. attorney that Doris had used “alcohol and drugs to excess, starting in the mid 1950’s.”⁸⁵⁸ Leon Amar, a Spanish-Moroccan decorator, who became her lover in the late ‘60’s told Stephanie Mansfield that “Doris drank a lot. When she drank, she became violent. . . She threw a bottle of wine at me once and nearly killed me.”⁸⁵⁹ Mansfield also reported that Doris was known to drink heavily, even in the afternoon.⁸⁶⁰

In the AVIS case lawyers representing Duke’s interests were so audacious, they actually asserted that, “The death of Edward Tirella was proximately caused by his own act or neglect.”⁸⁶¹

But the lab report on *his* blood showed that he’d tested negative for alcohol or barbiturates.⁸⁶² Could the same be said for Doris? We’ll never know. That’s because, in contrast to what Dr. McAllister reported, Chief Radice admitted, “We could not administer sobriety tests because of her injuries.”⁸⁶³ Normally, if “the fix,” hadn’t been in, the question of whether Doris was under the influence would have been central to manslaughter charges.

WHAT ABOUT MURDER?

Intentional homicide wasn’t even under consideration back then, but what about it? Under Rhode Island law, all records of “accidental” deaths have to be retained permanently by the investigating authorities.⁸⁶⁴ But like so many other official records in this story, the file on the homicide of Eduardo Tirella was reported missing from Newport Police archives for decades.⁸⁶⁵

I later obtained a copy from a confidential source, but even before I opened it, I’d uncovered evidence that the truth behind Tirella’s death was actually proven *within hours* after crash. It was documented by the Newport Police Department’s chief accident investigator whose findings went far beyond manslaughter. In fact, he concluded that Doris Duke had acted with intent.

To consider that, let's review what is undisputed. We know that Eduardo got out of the car and walked to the gates.⁸⁶⁶ From Doris's October 9th statement we know that he had just enough time to unwrap the unlocked chain from around the gates when the station wagon "leaped forward."⁸⁶⁷ The damage to the gates shows that they were struck virtually head-on at a point when they were still closed.



The Rough Point gates closed inward the morning after the crash as one of Doris Duke's German Shepherds roams in the background.
(Jerry Taylor photo)

With the help of Donna Lohmeyer I got Tirella's official autopsy report which had been buried for more than five decades in the basement of the RI Medical Examiner's office, misfiled under the name "TIRELLA, Edmund G." Published here for the first time, it proves that his injuries were entirely inconsistent with Chief Joseph Radice's official theory of the crash.

Doris Duke had told the police and Radice had assured the press that “Tirella... was crushed against the irons gates.”⁸⁶⁸ But the autopsy report, filed by Dr. James J. Flanagan, shows that except for a fracture of his right hip, all other injuries to Eduardo’s body were *above* the waist. He sustained zero damage to his legs.⁸⁶⁹

STATE OF RHODE ISLAND DEPARTMENT OF THE ATTORNEY GENERAL OFFICE OF THE CHIEF MEDICAL EXAMINER 250 Benefit Street Providence 3, Rhode Island		COPY CONFIDENTIAL NOT FOR LEGISLATIVE PURPOSES	
NAME OF DECEDENT TIRELLA, Edmund G.		ATTENDANCE NUMBER A66-27	MEDICAL EXAMINER James J. Flanagan
LOCAL ADDRESS		ATTENDANCE AUTHORIZED BY	
TYPE OF DEATH: Unattended by a physician <input type="checkbox"/> Violent or Unnatural <input checked="" type="checkbox"/> Sudden in apparent health <input type="checkbox"/> Fatal Agency: Unusual <input type="checkbox"/> In prison <input type="checkbox"/> Suspicious <input type="checkbox"/>		RIGOR Jaw <input type="checkbox"/> Arms <input checked="" type="checkbox"/> Neck <input type="checkbox"/> Chest <input type="checkbox"/> Back <input type="checkbox"/> Abdomen <input type="checkbox"/> Legs <input type="checkbox"/>	
Color: light blue		Body Identified by: Persons Present at Autopsy Doctor Flanagan Agents: T. Nolan Edward O'Connell	
Age 42 Race Cauc Sex M Length 5'7" Weight 160 Eyes hazel Pupils: R. 4mm Opacities, etc. Hair: Beard _____ Mustache _____ Circumcised _____ Body Heat _____ Pupils: L. 4mm		Regional Dep. Paris	
NON FATAL WOUNDS, SCARS, TATTOOING, OTHER FEATURES:			
PATHOLOGICAL DIAGNOSIS			
Multiple abrasions and contusions of the entire body surface.			
Multiple bone fractures as follows: a) three fractures of left parieto-temporal frontal area b) fracture of right humerus, juxta trochanteric c) fracture of 6th and 7th dorsal vertebrae d) extensive fracture of the sternum and multiple rib fractures at chondro-costal junction e) fracture of right hip			
Massive subarachnoid hemorrhage and cerebellar pressure cone			
Transection of spinal cord at the level the 6th and 7th dorsal vertebra			
Crushing fracture of right lower lobe of lung with extensive retropleural and upper mediastinum hemorrhage and massive bilateral hemothorax			
Multiple contusions with crushing fractures of liver parenchyma and two capsular tear			
Large capsule tear to spleen			
Probable cause of death: FRACTURE OF SKULL WITH EXTENSIVE SUBARACHNOID HEMORRHAGE AND CEREBELLAR PRESSURE CONE		PROVISIONAL REPORT <input type="checkbox"/>	
TRANSECTION OF DORSAL SPINAL CORD		FINAL REPORT <input type="checkbox"/>	
A true copy:		The facts stated herein are true and correct to the best of my knowledge and belief. <i>James J. Flanagan</i> Signature of Pathologist	

Eduardo Tirella’s autopsy report filed under the name Tirella, Edmund G.

The Dodge Polara was six and a half feet wide.⁸⁷⁰ It was idling 15 feet from the gates -- more than enough room to open them without Doris having to put the vehicle in reverse. Then, by Doris’s own account, it “leaped forward” at a “fast” speed from “a dead stop.”⁸⁷¹

All of the damage to the gates was *below* Tirella’s waist. So, if Doris Duke *had* crushed him against those gates as she’d told Chief Radice, why were there no injuries to his lower body?

The answer began to emerge when I got an unpublished photo taken by the actual news photographer who'd covered the event. A heavily cropped version of it had already been published on that Facebook Group, "If you Grew Up in Newport." It was posted by a woman named Jane Maguire whom I soon learned was married to John Quigley.⁸⁷² John's stepfather Ed had been a freelance photographer at the time of Tirella's death. In fact, it was his compelling coverage of the homicide scene that led to a permanent job on *The Newport Daily News*.⁸⁷³

When I started working at the paper, eight months later, Ed Quigley was one of the two staff photographers along with Ron LaChance. It was Quigley who later took the photo of Stephen Robertson's "perp walk" the night he surrendered to Newport Police at Headquarters.

So I reached out to John and Jane who went down into their basement on Long Island and found a series of Ed's negatives and photos. What they sent me, published first in the July/August issue of *Vanity Fair* and now in this book, took the investigation to a whole new level. The image below is a much wider angle of the post-crash photo, with compelling new details.



Ed Quigley's shot from inside the gates at Rough Point shortly after the crash. Sgt. Fred Newton can be seen working the scene at lower right.

First, there are several witnesses to the left of the damaged gates. One of them was Paul Faerber, who grew up to be a Newport Fire Captain. It was Paul who went up into the attic of Fire Headquarters and located the logbook recording the response times of the Newport and Middletown “rescue wagons” that late afternoon.

Near a bicycle, you can see two of the balusters that snapped off the gates as they were blown out over the two-by-five-inch metal stop. Located in the lower foreground of the shot, you can see that it was riveted into the concrete to keep the freely-swinging gates inward. The owner of that Stingray bike was Steve Mey (not pictured) then a nine year old paperboy who delivered *The Newport Daily News* along the “Avenue route.”

He had just dropped off a paper with Arthur Maloney, the night watchman at Marble House down the street, when he returned to his route and peddled south toward Rough Point.⁸⁷⁴ By the time he got to Rock Cliff, the Harold Vanderbilt estate, Mey told me, “I heard this loud noise and stopped. I couldn’t have been more than a long block away and I saw this white station wagon smashed against a tree across from the Duke place. So I immediately headed back to Arthur’s, burst in and told him what had happened. He ran upstairs to call it in, so I got back on my bike, cut across the Marble House lawn and came out through the gates onto Bellevue. By the time I got to Rough Point where the gates were bent and pushed out, I heard sirens.”

Joseph G. Silvia, the blacksmith who’d repaired those gates, told me that, “They were exceptionally heavy. Wrought iron. It would have taken quite a bit of force for them to go up and over that stop.”⁸⁷⁵

THE MAN WHO CRACKED THE CASE

The photo at left reveals something else significant: the man in the fedora hat at the lower right of the frame who was inspecting the gates. His name was Fred Newton Jr. A detective sergeant at the time, he was promoted to lieutenant the next year. I actually found a *Daily News* profile of him that I’d written on the methods he used in training all of the Newport PD’s recruits.⁸⁷⁶

Newport Daily News, Friday, December 1, 1967

7

The New Breed: Eight Rookies Train

By PETER A. LANCE

The era of the round faced, neighborhood policeman is over. With crime a multi-billion dollar business, a corruptive science, today's policeman must be the composite of a historian, court justice, psychologist, medic, ballistics expert and super-sleuth.

At Marlborough Street headquarters, eight rookies are caring that being a policeman means more than just directing traffic or chasing pranksters.

Since Nov. 15, when they were sworn in at City Hall, the new patrolmen have undergone extensive textbook and field training. At the conclusion of their six-week basic instruction course, they will have logged more than 120 hours in the classroom and on the beat.

"Police work today is a far cry from what it was in the twenties and thirties," said Lt. Frederick Newton, supervisor of the training program. "A policeman has to know more, and he has to be able to use his knowledge in a technologically advanced society."

"When the new men were sworn in, the chief told them that when he started on the department 20 years ago they gave him a badge, a gun and a nightstick, and sent him out on his beat. Things have changed. Today when a man starts out, we make sure he knows his business."

The six-week orientation period is grueling and expensive. Each of the recruits, paid \$140 for a "basic issue" uniform consisting of a shirt, trousers

visiting lecturers, experts in various criminology fields. Like Lt. Robert Harmon, state narcotics inspector, who will speak to the men on drug abuse.

"I never realized there was so much to being a policeman," said one of the rookies at a riot gun drill recently on Goat Island.

"You know it's funny, people seem to act differently towards you when they find out you are joining the force," said recruit Charles Dwyer of 3 Tyler St. "A few of the old friends act coldly towards you, but the great majority of them respect you."

The seven other men at the session singly dressed in nylon overcoats agreed.

Like several of the other recruits, firearms are not a novelty to Dwyer. In the Marines he received the marksmanship medal and was a prize winning boxer.

Recruit Eugene J. Sullivan of 28 Fair St. was discharged recently from the Air Force where he spent four years in the military police. "Recruit William N. Clapper Jr. (of 9 Barney Court) is certainly no stranger to firearms," Lt. Newton said. "He's been hunting since he was 14 years old."

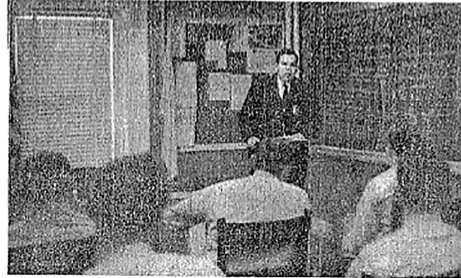
"Each day one of the recruits is chosen corporal to inspect his teammates and act as squad leader of the day's activities," Lt. Newton said. "I think the responsibility is healthy for the men and it brings them closer together as a team."

Morning inspection for the young officers is at 8:15 a.m.

though not compulsory, has been very good," he said.

In addition Lt. John Hopkins is working towards his bachelor's degree at the URI extension in Providence, and Capt. Jeremiah Sullivan recently completed 12 weeks of study at the FBI National Academy for Police Work in Washington.

Twenty-four members of the Auxiliary Police Force are already better equipped than the tending weekly volunteer lecturers given at headquarters by year to see that the pie urban Lt. Newton. "The attendance, remains intact.



IN THE CLASSROOM — Lt. Frederick W. Newton Jr., instruction supervisor and statistical analyst of the Police Department, conducts a lecture on recent Supreme Court decisions affecting police work. Eight new recruits and a ninth who will join them after Christmas will raise the manpower level of the department to 84 men.

Sgt. Newton was known as a straight shooter and a professional who always conducted himself by the book. Decades ago, I'd lost touch with Fred, whose nickname was "Fig," and he'd died at the age of 70 in 1999. But six years after that fateful crash, he'd risen in the department to become Assistant Police Chief and by 1980 he had the top job, Chief of Police.⁸⁷⁷ My sense was that if anyone had discovered what really happened at Rough Point it was Fred Newton and I finally learned what *he'd* learned after I located the first officer to respond.

"HE ROLLED UP ON THE HOOD"

Edward Angel had been a rookie patrolman assigned to "The Avenue beat." He'd just gone on duty that night at 5:00 pm and within minutes, the radio crackled in his unit with word of an accident. He hit the roof lights and sped to the scene. This is what he told me he found on arrival:

"There was a woman inside the vehicle. She was extremely upset. I looked down and found someone underneath the car all rolled up. I was inexperienced and young, so I guess I blurted out, 'He's under the car.' That sent her into shock.

“She jumped out and thank God, there was a young Navy nurse there – Judith Thom - and I asked if she could help her.”⁸⁷⁸ I was just focused on whoever was under the vehicle; whether he was still alive.”

Later, after the two Rescue wagons arrived and Newport’s truck extricated the body, Angel, who had been on the job less than a year at that point, pulled out a pad and pen, and started to make a sketch of the scene.

“I walked into Bellevue, looked down and I saw some skin and blood,” he said. “I drew a diagram of what I thought had been the point of impact between the subject and the vehicle -- where I thought he’d been run over.”

Not sure, at that point, who Tirella was or his relation to the woman he now realized was Doris Duke, patrolman Angel’s first thought was that she might have hit a *pedestrian* crossing the Avenue after she’d gone through the gates.

“I submitted my findings,” he recalled, “and the next day, before I was to go back on duty, I got called in by Sergeant Newton, who’d been my training officer. He took me back up to the scene and explained to me how the gates, which normally opened inward, had been pushed out. He showed me markings on the gates that suggested somebody had been forced up on the hood of the car. Then he walked me back into Bellevue, explaining that the blood and the skin that I’d found was from when the body rolled off and fell in front of the car. At that point it was rolled over...”⁸⁷⁹

I’d been conducting the interview with retired officer Angel over the phone and I wasn’t sure I’d heard him correctly.

“Are you telling me that Fred Newton thought that Eduardo Tirella went up on the hood of the wagon *before* it hit the gate?” Angel was quick to respond. “That’s what he told me. That was his theory of the crash, and that at some point after the gates blew open, she hesitated and tapped the brakes and he rolled off. At that point he was run over by the vehicle and dragged to the point where he was still underneath it when it hit the tree.”

The shocking visual image of what he told me prompted a number of questions: When he went up on the hood, was Eduardo *facing* Doris on the other side of the windshield? If his body hadn't rolled off, could he have survived the crash?

The significance of Edward Angel's account was groundbreaking. Based on what he told me regarding Sgt. Newton's calculations, Doris Duke had committed an act of intentional murder. In fact, leading up to it, she had engaged in four affirmative/voluntary acts prior to the Dodge Polara "leaping forward" from "a dead stop."

First, she'd slid over behind the wheel. Next, she'd released the parking brake by hand. She'd then moved the wheel-mounted shift lever from "park" to "drive" and finally, she'd hit the accelerator. The wagon surged forward and struck Tirella who went up on the hood.

But instead of "crushing" him against the gates, as Chief Radice had claimed, Eduardo remained on the hood, alive, as the Dodge blew through the gates with enough force that it bent them and knocked out five of the 34 balusters. It was only *after* Doris hesitated, tapping the brakes, that the victim rolled off onto Millionaire's Row and she made a conscious decision to keep going.

The parallel tire-wide gouge marks "an inch-and-a-half to two-inches deep," which Robert Aughey had photographed 30 feet back, support that sequence of events, as do the tire marks that Lewis Perrotti found along the gravel inside the gate.

The 1966 Dodge Polara was 18 feet long.⁸⁸⁰ The rear tires were three feet from the back bumper, so the math would have been right: the front bumper 15 feet from the gate – the tires gouges in the gravel 15 feet back from there. Edward Friedman, attorney for the Tirella family, had made an uncontested statement at trial that, "Tirella was dragged and was pinned beneath the car when it stopped."⁸⁸¹ It now seemed clear that he was dragged from the very location where Edward Angel had first noticed the blood and the skin. I went back and re-examined Eduardo's Death Certificate, reproduced in Chapter One, and found evidence of precisely the same thing. It read, "Decedent struck by auto while opening iron gates and then dragged under the vehicle."



Ed Quigley's photo of the underside of the Dodge Polara wagon with what appears to be blood at lower right.

In the newly discovered shot showing Sgt. Newton, no residue of blood or skin is visible anywhere near the gate stop. But another photo by Ed Quigley taken from *under* the Dodge after Tirella's body had been removed, suggests that Doris had dragged him across Bellevue to the tree.

In that shot above, just below the left rear tire you can see a length of pipe from the post-and-rail fence on the Quatrel estate and to the right of that, just below it, a small pool of what looks like blood. The rear differential also appears to be blood stained.

Curiously, it was the negative of that very photo that went missing from *The Newport Daily News* archives at the Historical Society. And yet, John Quigley's wife Jane found the print (above) made in 1966.

What's more, when I interviewed him, Robert Aughey Jr., Tirella's nephew, recalled that the morning after the crash he noticed a sticky substance near where his uncle's body had come to rest.

“I remember kneeling down and putting my fingers in it,” he told me. “Lifting them up, they were red with blood.”⁸⁸²

Looking back at Eduardo’s Death Certificate there’s nothing in it to support Chief Radice’s public statement that he’d been “crushed” against the gates. In fact, the graphic description of his injuries support a finding that he’d been crushed under the wheels of the wagon:

“Fractures of skull, ribs (rt) side of chest; Fractured right humerus, hip and 6 and 7 dorsal vertebrae; Subarachnoid hemorrhages; Transection of dorsal cord. Rupture of rt. lung and bilateral hemothorax. Multiple tears of spleen and liver. Multiple abrasions and contusions of body surface.”⁸⁸³

The forensic evidence to support Sgt. Newton’s “up on the hood” analysis is clear and convincing and a number of long retired police officers from the Newport, PD who worked the case, now agree.

CHAPTER THIRTY-THREE

“IT MOVED LIKE A ROCKET”

I reached out to retired Newport Police detective Al Conti, who had spent the last 20 years of a 28 year career in plain clothes. He was a veteran of many investigations on and off Bellevue Avenue, including multiple jewel thefts from Bois Doré which he solved. At one point he also recovered a valuable painting stolen from the home of Nuala Pell, wife of the Senator. I asked him about Fred Newton’s theory of the crash as recounted by officer Angel.

“If it was me that night,” said Conti, “and I’m facing the car, my first instinct would be to jump up on the hood. What happened to Mr. Tirella was outrageous, no matter what the cause, but to think that he might have seen his own death coming is an awful prospect to consider.”⁸⁸⁴

As to the cover-up of the case by the Newport, PD I tracked down Norman Mather, the 20-year veteran of the Department who retired in 1984 as an Inspector and earlier recounted the story of Mrs. Beck. On the night of Eduardo’s death he got to the crash scene not long after Patrolman Angel had arrived and Doris Duke had just emerged from her run into Rough Point. At that moment, he told me, she was in the middle of Bellevue Avenue, crying.

“So I said, ‘Miss Duke, my name is Patrolman Mather. Were you in the car?’ And she kept on crying. She wouldn’t answer me.” Just then, Mather said, “Chief Radice arrived in his black Chrysler. It had the seal of the City of Newport on the door, but it was otherwise unmarked. So the Chief got out, walked over to me and said, ‘Mather, I’ll take over. You go back to the station and type it out.’”⁸⁸⁵ The retired Inspector then had a vivid recollection of Radice escorting Doris Duke “arm-in-arm” into Rough Point as Sergeant Don Bergeron arrived and took immediate command of the scene.



An unpublished photo of the Dodge wagon 45 minutes after Doris Duke burst through the gates of Rough Point. The police officer pointing at right was Sgt. Don Bergeron. (Ed Quigley photo).

Later, back at Newport Police headquarters, Mather put an official accident report form (in triplicate) into a typewriter and proceeded to follow the Chief’s orders. “Suddenly,” he said. “Sgt. Bergeron rushed in and pulled out my original and my copies with the carbon paper. He crumpled them up. So I said, ‘What are you doing?’ And he said, ‘This matter is being taken care of by *Chief Radice*. You don’t have to do any more.’ And with that, my report got thrown into a trash can.”

Mather speculated that after the Chief walked into Rough Point with Doris something had changed. “Did he make a deal with her? I don’t know. But the next day I went up to Radice’s office on the second floor and I asked him, ‘Hey Chief, what’s going on?’ He looked up at me and said, ‘Mather, I’m the Chief. What I say goes. Now get out of my office.’”

Another Patrolman who arrived on the scene that night was Bill Watterson. In the small world of Newport, Bill, now retired after 30 years, is the first cousin of Brad Watterson, another classmate of mine from De La Salle who later lived around the corner from Dr. Phillip McAllister's office.

"When I got there, said Watterson, "Clem Brown from Pelham Garage, who rented the wagon to Doris, had his tow truck lifting it up. I had the sedan version of that Dodge Polara and it was very powerful. It moved like a rocket. So when she hit those gates, she had to be really going, to do that kind of damage."

After the Middletown Rescue wagon took Doris to Newport Hospital, Watterson went to the hospital's Emergency Room expecting to find her there. "But she wasn't in the E.R.," he remembered. "She was in the old waiting room on the Friendship Street side of the hospital —what was then the main entrance."

Watterson told me that Doris was "in the lobby, off to the side, on the phone." He didn't know who she was talking to, but when she hung up, he was able to question her briefly.

"She was holding what looked like a rag up to her mouth," he said. "She might have had a bloody lip, but she had no other physical injuries beyond superficial cuts or bruises; what I used to call 'steering wheel injuries.' She said, 'I don't have my license with me,' but I got her date of birth and a brief story of what happened."

"Doris said that (after Tirella got out) she'd slid over behind the wheel and when she did, she put it in gear. It then jolted forward." Soon after that, Watterson remembered, "The nurses were trying to get her to go. I don't know if she was waiting for phone calls or calling her lawyer, but I went back up to the scene up on Bellevue."

Watterson's account of briefly questioning Doris dovetails with the interrogatories from the AVIS case that I found in The National Archives. In them she said she'd "discussed the accident with police" on the night of Tirella's death.⁸⁸⁶ That explained the similar account reported by *The Newport Daily News* the next day at a time when Doris was being hidden from state investigators.

Bill Watterson retired in 1995 as a veteran detective in the Bureau of Criminal Investigation. I asked him pointedly if he believed there had been a cover-up by Chief Radice in the Tirella homicide. He responded without hesitation: “There’s no if, and, or but about it. In the old police Department under Radice if you were a patrolman you were a peon. Old Joe called the plays, and *nobody* was in a position to buck him if they wanted to keep their badge.”

THE MISSING REPORT

Throughout my investigation, which started with a blank page and a hunch, the most important single document that eluded me was the official report of The Newport Police Department. When former *Washington Post* reporter Stephanie Mansfield was researching her definitive Duke biography *The Richest Girl In The World* in 1990, she wrote to Eduardo’s sister Anita and noted that she was unable to “locate the file” on his death at the Newport PD.⁸⁸⁷

Newspaper coverage of the 1971 Tirella wrongful death trial detailed how that police report included transcripts of Miss Duke’s two “interviews” with Newport Police after the crash. Both were entered into evidence, but the trial transcript had disappeared from state judicial archives.

Since the Newport police cleared Doris on the basis of those interviews, that elusive file would have been the best evidence of a police cover-up. But even without it, I reached the conclusion that Tirella was murdered by the possessive heiress and that the police brass had suppressed the evidence, allowing her to escape criminal charges.

My findings were based on hundreds of pieces of empirical evidence I’d uncovered and analyzed surrounding the crash and its aftermath. The process involved dozens of interviews with police officers, fact witnesses, the Rough Point staff, friends of Duke and Tirella, the discovery of the previously hidden autopsy report and the crash scene photos that confirmed Sgt. Fred Newton’s analysis within hours of the death.

As related to me by retired Patrolman Angel, Sgt. Newton determined that Eduardo had gone “up on the hood” of the Dodge Polara.

Then, after blasting through the wrought iron gates, Doris braked for a moment, causing Tirella to roll off, whereupon she drove forward with intent—dragging him to his death.

That's what I learned, even *without* the official report. In Chapter Eighteen I discussed my obsession with finding it. Then, after searching for more than a year, I got it.

Except for withholding Sgt. Newton's "hood" analysis, which would have surely demanded Miss Duke's immediate arrest, I was gratified to learn that 95% of the findings in that official file were in sync with my own. It not only included the Newport PD's two "transcripts" reproduced in Chapter Seven, but there was also an eight-page summary by Lewis Perrotti, the state Registry of Motor Vehicles investigator, who had been prevented from interviewing the killer.

The official file, parts of which are contained in the Appendix on pages 323-325 included Sgt. Newton's detailed report, complete with diagrams that dovetail with my independent findings. It included the report of Patrolman Angel, who told me that he'd found skin and blood fragments on Bellevue Avenue. The file recounted his interviews with Judith Thom and her father Lewis, the first civilian witnesses on the scene. They'd told Officer Angel that minutes after the crash, Doris admitted that "*she had run over Ed*" In fact, his interviews with the Thoms, directly contradict the three-page Q&A described as the "interrogation" of Doris Duke by Captain Paul Sullivan four days later.

MINIMIZING TIRELLA'S INJURIES

One of the first things that struck me in the report was that in a section entitled INJURED, Doris Duke was listed first, as experiencing "Shock" and "Lacerations of the face." (Appendix page 323) But below that, while noting "Edwardo" Tirella had died, the extent of his injuries was left blank. The black redaction obscures his L.A. street address: 2048 Stanley Hills Place in Laurel Canyon.

INJURY REPORT	Name Miss Doris Duke	Address Rough Point Estate	<input checked="" type="checkbox"/> Driver <input type="checkbox"/> In vehicle
	Age 42 Sex F	First aid given by Little Rescue	<input type="checkbox"/> Passenger <input type="checkbox"/> No
	Did person die? No	Nature and extent of injuries Shock. Lacerations of the face	<input type="checkbox"/> Pedestrian
	Total number injured and killed 1		Specify other Los Angeles Calif.
INJURY REPORT	Name Eduardo Tirella	Address [REDACTED]	<input type="checkbox"/> Driver <input type="checkbox"/> In vehicle
	Age 42 Sex M	First aid given by Newport Rescue	<input type="checkbox"/> Passenger <input type="checkbox"/> No
	Did person die? Yes	Nature and extent of injuries [REDACTED]	<input type="checkbox"/> Pedestrian
	Total number injured and killed 1		Specify other

Newport PD report detailing Doris Duke’s injuries vs. no stated injuries for Eduardo.

Contrast that with the copy of his Death Certificate obtained independently from the Rhode Island Medical Examiner.

CERTIFICATION	17. CAUSE OF DEATH (Date only and time per line for (a), (b), and (c).)	INTERVAL BETWEEN DEATH AND DEATH
	PART 1. DEATH WAS CAUSED BY: IMMEDIATE CAUSE (a) Fractures of skull, ribs (rt) side of chest;	
	CONDITIONS, if any, which gave rise to above cause (a) Fractured right humerus, hip and 6 and 7 dorsal vertebrae; Subarachnoid hemorrhage; Transection of dorsal cord. Rupture of rt. lung and bilateral hemothorax	
	OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH BUT NOT RELATED TO THE TERMINAL DISEASE CONDITION GIVEN IN PART 1(a) Multiple tears of spleen and liver. Multiple abrasions and contusions of body surface.	18. WAS APPROPRIATE FOR CORONER? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>

Eduardo Tirella’s death certificate documenting his fatal injuries, consistent with his body being dragged across Bellevue Avenue under the Dodge Polara wagon.

In gruesome detail it describes the horrific extent of his injuries.

As reported, in Chapter Seven, the “bedroom interview” with Doris Duke was conducted on October 9th, 1966, two days after the crash, by Lt. Frank Walsh and Det. George Watts, following Doris’s return home (Saturday). Until then she’d been kept incommunicado at Newport Hospital by Dr. McAllister.

It’s worth remembering that this brief session took place Sunday in the presence of Doris’s business manager Pete Cooley who had pointedly insisted that Doris’s estates manager, David Rimmer be *excluded* from Rough Point during that weekend.

Registry investigators Perrotti and Al Massarone (prevented from talking to Doris before then) caught the tail end of the brief session as Duke sat in bed. It was on the basis of the limited questions and her anemic response that Chief Joseph Radice closed the case the next day, declaring it an “unfortunate accident,” but after state Attorney General Nugent chastised him, the chief quickly backtracked, insisting that the probe was still open. That’s when Doris’s Rhode Island lawyer Aram Arabian suggested that the police “write something up” and if he approved, she would sign it.

Then, in contravention of any conventional law enforcement norm, in which the police serve as the objective finders of fact, the Newport PD produced that contrived 3 page "transcript" of a Q&A that never took place. As detailed in Chapter Seven the most remarkable thing about that account -- supposedly typed by a stenographer during a live "interrogation" of Duke at Rough Point on October 11th -- is that the police got her date of birth wrong in answer to the first question, which she then had to correct and initial on the typed copy.

In examining that "transcript," retired NYPD homicide Det. James Moss was shocked by the lengths that the Newport Police Department went to in order to exonerate the killer. "On page two," Det. Moss said, "they actually asked and answered a variation of the same question twice."

- Q. Is there any possibility, Miss Duke, that your foot could have engaged the accelerator pedal?
A. Not to my knowledge.

"Apparently they wanted to give her a further excuse for confusing the gas pedal with the brake. So they asked and answered that question again in a slightly different way."

- Q. Is there a possibility that your foot slipped off the brake pedal onto the accelerator pedal?
A. That could have happened, but I have no recollection of it. JJ

"But this time, when the police answered for her, 'That could have happened,' her lawyers apparently objected, because she ended up writing in, 'but I have no recollection of it,' then initialing it, 'D.D.'"

"That was her attorneys' way of protecting her," said Det. Moss, "since the 'could have happened' admission might have exposed her to charges of criminal negligence. But Doris Duke was *never* subjected to an 'interrogation' in real time as the Q&A states. If she had been, her lawyers would have prevented her from answering that way."

After examining the newly discovered police report in depth, Det. Moss reached this conclusion:

“This had to be the biggest homicide investigation in Newport history at the time and one would think that the Chief would have conducted it 100% by the book, especially with the Rhode Island Attorney General looking over his shoulder. But no. In fact, in the entire three-page Q&A, the police never used the word ‘homicide.’ I have never seen an ‘investigation’ more favorable to the only person of interest—the killer—who was also the only living witness to the death. I don’t fault any of the junior members of the department, including Sgt. Newton and patrolmen Angel, Watterson, Mather and Ring. They were clearly prevented by the Chief from telling the full truth at the time and they’ve come forward now to set the record straight. But I can say this, without a doubt: if that report had included Sgt. Newton’s actual conclusion that Tirella had gone up on the hood of the wagon, rolled off and Doris Duke had driven over him, she would have been in handcuffs. So, as Mr. Perrotti from the Registry of Motor Vehicles concluded, ‘the fix was in.’”

FORENSIC ANALYSIS

I submitted the evidence uncovered in this investigation to Harm Jansen, a senior staff engineer with Collision and Injury Dynamics, one of the nation’s top forensic consulting firms, located in El Segundo, California.⁸⁸⁸

He drilled down specifically on Sgt. Fred Newton’s theory of the crash and agreed that Eduardo Tirella had gone up on the hood of the Dodge Polara wagon just before Doris Duke drove it through the gates.

“There is no evidence he was pinned against the gates,” says Jansen. “We know he was on the hood. We also know he got run over—mid street. To me it’s clear. This was a multi-sequence event in which the driver made a number of affirmative decisions in the course of the incident. The analysis of his injuries, limited to upper body, the head-on damage to the lower sections of the gates, the account of the first officer on the scene and the contemporaneous investigation by the senior police accident investigator, Sergeant Newton, lead me to conclude that the event did *not* occur as described by Doris Duke.”⁸⁸⁹