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April 24th, 2021
via email and Federal Express

Mr. Thompson,

Friday marked one month since Donna Lohmeyer, the niece of Eduardo Tirella, killed by Doris Duke outside the gates of Rough Point, October 7th 1966 sent you the attached letter ¹ in which she expressed her “shock at the utter indifference the NRF has shown to revelations” uncovered in my two-year investigation into Mr. Tirella’s death; the findings of which were first published in an 8,000 word piece in the July/August issue of *Vanity Fair* magazine and in much more detail in the enclosed 438 page book *HOMICIDE AT ROUGH POINT*, published in four editions on February 23rd, 2021.

The principal focus of Ms. Lohmeyer’s letter was the wall-sized Exhibit ² the NRF has maintained on the second floor of the Rough Point museum since early April of 2019. That exhibit in the photo attached, taken as recently as April 15th, 2021 has remained on display for the past two seasons; seen by thousands of visitors to Doris Duke’s home mansion which the NRF maintains.

See attached photo from the NRF’s January 25th 2021 newsletter ³ showing masked visitors in 2019, one of whom reads details of the Exhibit which contains at least five (5) misstatements of fact including the utterly false assertion that:

“In 1971 the Tirella family brought a civil suit against Doris Duke for damages and lost wages from Eduardo’s death. After several days in court, Duke settled the case with the Tirella family.”

As my VF piece and the book recount in great detail, based on files I obtained from Doris Duke’s archives at Duke University’s Rubenstein Library, that statement is patently untrue and highly misleading.

¹ ATTACHMENT A

² ATTACHMENT B

³ ATTACHMENT C

THE “SETTLEMENT” THAT NEVER OCCURRED

In fact, after refusing to settle with Tirella’s family which would have accepted as little as \$200,000 at a time when Miss Duke was earning \$1 million dollars a week in interest on her fortune, she and her attorneys forced Eduardo’s five sisters and three brothers, who came from a middle-class family in New Jersey, to file a \$1.25 million wrongful death action, which went to trial in RI Superior Court in Providence in June, 1971.

During that 10 day trial Miss Duke, who testified herself, was found civilly liable for crushing her designer and art curator under the wheels of a two-ton station wagon. But during the damage phase, her attorney, Aram Arabian, so denigrated the victim that the final award to the Tirella family was \$75,000 plus interest – a figure not even equal to the \$102,000 Goddard Chippendale mahogany highboy that Miss Duke bought a month before trial at Parke-Bernet, a record price for a piece of furniture at the time.

Two other misstatements of fact in that Rough Point Exhibit, which the NRF posits with certainty, were contained in the second paragraph:

“We do know that Tirella and Doris were on their way to dinner that evening. She was driving a rented car and unfamiliar with the transmission.”

However, in an interview for my investigation, Linda McFarlane Knierim, the daughter of Rough Point’s caretaker Howard McFarlane who rented the 1966 Dodge Polara wagon and was present the night of the death, told me that “the cooks were preparing a meal for when they came back” from what she described as “A brief meeting.”

THE ST. URSULA RELIQUARY

According my first hand interviews and documentation from the Rubenstein files, Miss Duke and Tirella were leaving Rough Point that night to pick up The Reliquary of St. Ursula, ⁴ an artifact purchased a year earlier from John Perkins Brown, an antique dealer. In the interim that Reliquary was dated and restored by art historian Adé Bethune. It plays a key role in the truthful narrative of the events surrounding Eduardo’s death.

Further, the “dinner” story was concocted by Newport’s then Police Chief Joseph A. Radice, whom I prove in my book, conspired with Miss Duke’s lawyers to fabricate a three page “transcript” ⁵ of an alleged “interrogation” of Doris Duke at Rough Point, purportedly conducted on October 11th, 1966 as a way of disposing of the case. It was an “interrogation” that never took place and underscores the collusion between Miss Duke, her lawyers and Chief Radice who permitted her to escape justice.

That “transcript,” was part of the official police report, which I recovered after it had been reported missing since 1990. It is published in full in Chapter Seven of HOMICIDE.

⁴ ATTACHMENT D

⁵ ATTACHMENT E

THE FABRICATED Q&A

Earlier Radice had told the press that “Tirella and Doris were on their way to dinner that evening,” and his fabricated transcript, which was signed by Miss Duke and Mr. Arabian, makes an assertion that undermines the second sentence in the Exhibit paragraph above: the notion Miss Duke was “unfamiliar with the transmission” of the station wagon.

In fact, the “transcript,” which Doris Duke endorsed and signed, contains this exchange:

Q: Had there been any difficult with this car?

A: No, I drove it twice previously. I went to meet Mr. Tirella at the airport and I had driven it on Friday morning.

Two more false assertions are contained in the first sentence of that Exhibit:

“On the evening of October 7, 1966, Doris’ friend and interior designer, Eduardo Tirella, was struck and killed while opening the front gate at Rough Point. Doris was driving the car. While we can never know exactly what happened it is undeniably a tragic event.

My book, based on thousands of pages of forensic research and dozens of interviews with first-person witnesses from the time of the fatal crash and its aftermath, includes the long missing police report and the report of Lewis A. Perrotti, one of the surviving investigators from the RI Registry of Motor Vehicles who worked the case, but was prevented by Newport Police from interviewing Miss Duke personally.

Another key witness was former Newport Police patrolman Edward Angel, the first officer on the scene, whose account proves that Eduardo Tirella was not killed “while opening the front gate at Rough Point;” another false story proffered by Chief Radice.

In an interview with *The Associated Press* published on October 10th 1966, after he had first declared Eduardo’s death “an unfortunate accident,” only to walk back that conclusion until the fabricated “transcript” allowed closure of the case the next day, Chief Radice made a statement that was unsupported by a brief interview of Miss Duke on October 9th 1966 conducted in her bedroom at Rough Point by Lt. Frank Walsh.

It was the only officially recorded interview of Miss Duke herself in person during the 96 hour “investigation” into Eduardo Tirella’s death.

THE BRIEF BEDROOM INTERVIEW

In the enclosed four question/five answer “interview”⁶ entered by Lt. Walsh into the police report with several grammatical errors and little punctuation, Miss Duke reportedly gave this account in which Eduardo was identified as “Mr. Tirello.”

⁶ ATTACHMENT F

“We were going out of the estate Mr. Tirello was the operator we did what we have done a hundred times before, the gate was locked, Mr. Tirello got out of the car to open the gate, it was locked he was at the lock, the car was about fifteen feet from the gate, I was getting ready to drive thru the gate, the car just leaped forward and I was on top of him, He was in the middle of the gates at the lock at the time.”

There is no assertion in that report of Miss Duke’s statement where she says Eduardo was “struck and killed while opening the front gate at Rough Point.” Yet in that AP story on October 10th Chief Radice added a new detail, not contained in her initial account:

“Tirella... was crushed against the iron gates and then dragged across Bellevue Avenue and pinned him under the car when it struck a tree.”

Yet, as I report with great detail in the book, forensic and photographic evidence of the crash scene shows no blood on the gates, indicating that Eduardo was “crushed” against them. Nor is there a trail of blood leading from the gates onto Bellevue Avenue.

HE WAS “FORCED UP ON THE HOOD”

However, Officer Angel told me that he found “skin and blood” a number of feet into the street, causing him to think, initially that Miss Duke had hit a pedestrian crossing Bellevue Avenue as she burst through the wrought iron gates in the station wagon.

When he returned to the scene the next day with Sgt. Fred Newton, the NPD’s chief accident investigator, Sgt. Newton told officer Angel that after Doris Duke slid behind the wheel of the station wagon, released the parking break, put it into gear and hit the accelerator, roaring toward Eduardo Tirella, that he leaped up on the hood of the vehicle as she hit the gates forcing them open. Far from being crushed against the gates or killed at that moment, Eduardo, who sustained a broken hip was still very much alive.

Then, in officer Angel’s account as related to him by Sgt. Newton, Doris Duke suddenly hit the brakes, whereupon, Eduardo rolled off onto Bellevue Avenue. It was at that point, Sgt. Newton believed, that Miss Duke made a decision to drive forward, crushing Tirella under the two-ton wagon and dragging him across Bellevue Avenue to his death.

The photo of the damaged gates ⁷ taken the morning after the crash shows damage only to the lower portion where five (5) baluster rungs were knocked out. Yet the autopsy report of Eduardo Tirella, ⁸ which had been missing for decades and recovered in my investigation, shows that except for a fractures right hip (consistent with him going up on the hood of the wagon) all of the damage to Eduardo was upper body.

⁷ ATTACHMENT G

⁸ ATTACHMENT H

Further his Death Certificate ⁹ shows massive damage to his skull, humerus, hips, spinal column spleen, brain and liver consistent with the conclusion on the face of that document that Eduardo was “struck by auto while opening iron gates and then dragged under vehicle.”

The evidence that Eduardo Tirella’s death was the result of five (5) separate affirmative acts by Doris Duke, makes the case that she killed him with intent; that there was no **“Accident at the Rough Point Gate,”** as a bold faced banner above Exhibit contends.

In fact, based on the evidence in in my book backed up by pages of never-before-seen forensic documents, crime scene photos, eyewitness interviews and sixty (60) pages of annotations, the homicide at Rough Point in 1966 was an act of intent-to-kill murder committed by the wealthiest woman in America. All of that is contained in my book. In fact, most of it was contained in my Vanity Fair piece published nine months ago and yet, the NRF continues to embrace Chief Joseph Radice’s corrupt “accident” conclusion.

THE NRF’S CONTINING REFUSAL TO FACE THE TRUTH

In the attached Press Statement ¹⁰ issued to R.J. Heim of WJAR-TV on February 18th, 2021 when he was producing a four part series based on my findings the NRF writes:

"Newport Restoration Foundation is aware of the forthcoming book, “Homicide At Rough Point.” The Newport Police Department investigated the incident, which is the subject of the book, at the time it took place and ruled that it was an accident. NRF does not have the capacity nor resources to conduct a separate investigation of the accident but we are confident in the Newport police and the conclusions reached in their official investigation.”

In light of that statement on March 11th, 2021, *Newport This Week* published my letter-to-the-editor which asks, “If a nonprofit, whose very raison d’être is scholarly research and analysis can’t verify my findings, then who can?” Further, Ms. Lohmeyer noted in her letter to you a month ago, the link that I had published on my website to the NRF’s IRS 990 tax return for the 2018 year filed July 25th 2019. I’m attaching it here. ¹¹

That 990 notes that The NRF had fair market assets in 2018 of \$75,816,493 and that the NRF’s top five executives, including you, were paid salaries and benefits of \$731,315 or nearly 10% of the Foundations net worth. That 990 showed that you yourself had a 2018 expense account of \$41,520. So clearly the NRF has the resources to vet my findings, yet The Foundation continues to make statements regarding the subject matter of the book that raise more questions than they answer.

⁹ ATTACHMENT I

¹⁰ ATTACHMENT J

¹¹ ATTACHMENT K

THE “COLLISION” WITH THE “CATERING TRUCK”

On March 29th, 2021 reporter Sean Flynn published a piece for The Newport Daily News, my former newspaper, on Ms. Lohmeyer’s letter to you. The headline on his story, also published in The Providence Journal ¹² was: **Eduardo Tirella’s family wants Newport Restoration Foundation to correct errors in its Exhibit, niece says.**

Mr. Flynn’s story recounted many of the findings in HOMICIDE AT ROUGH POINT and noted, as I reported in Chapter 34 that since the fall of 2019 The Rough Point gates. “a key part of the story... were taken down... and a small metal gate installed.” In a statement ¹³ to Mr. Flynn issued March 25th in anticipation of his story, the NRF contended:

“Rough Point Museum’s north gate was struck by a catering truck in September of 2019. The force of collision not only damaged the gates but also the supporting brownstone pillars. The gates were removed and the pillars were partially dismantled for safety reasons. The cost of dismantling and the projected repair was more than \$100,000 and we had to negotiate a settlement of that claim with the caterer’s insurance company before beginning repairs to the gate.”

An official printout of records in the files of The Newport Police Department regarding accidents or incidents at Rough Point reported between May 25th, 2002 and March 28th, 2021, ¹⁴ shows that over the years there were at least three separate collisions between trucks and the North Gates. The first, involving a 26 foot Freightliner truck on November 5th, 2005, caused the gates to become unhinged and resulted in minor damage.

There were two more collisions with trucks that struck the “metal arch over the entryway.” The first occurred on August 16th, 2013 also involved a Freightliner – no details on damages were reported – and the next happened on August 5th, 2014 involving a Hino Model 195 box truck that knocked off “a small decorative pear shaped iron spindle” with damages of \$1,000.00.

Each of those three incidents were detailed in State of Rhode Island Uniform Accident Reports. Yet the Newport Police Department list of Rough Point “events” from 2002 to late March of 2021 shows no accidents reported in the month of September, 2019 as the NRF contended in that March 25th statement to Mr. Flynn.

As the print out shows, there *was* a police call to the estate for “traffic control” on October 4th, 2019 at the time Rough Point was the site of “The Gathering,” a display of luxury automobiles sponsored by Newport’s Audrain Automotive Museum as part of their Concourse And Motor Week.

But a thorough search of the files by the Newport PD’s Records Clerk found no reports of any collisions involving a catering truck in September or October of 2019.

¹² ATTACHMENT L

¹³ ATTACHMENT M

¹⁴ ATTACHMENT N

THE REMOVAL OF THE GATES FOR 18 MONTHS

The facts surrounding such a popular tourist attraction are of great public interest so, I'm appealing to you to make public the details of this alleged September 2019 "collision," which resulted in the removal and dismantling, not only of the North Gates but of the stone pillars that support them. ¹⁵ The damage was apparently so significant that for at least 18 months the entrance to Rough Point has been secured with the kind of metal fence one might expect to find separating pastures at Duke Farms. ¹⁶

If the damage did involve a \$100,000 insurance claim as the NRF contends, I wonder why, no Uniform Accident Report was filed with the Police Department – a condition precedent typically required before an insurance company will settle a claim. If there was such a report filed, it did not turn up in a search by the NPD's Records Clerk,

So I ask you here and now to provide the details.

The Rough Point gates were quickly restored following Eduardo's death and they stood for some 53 years at the entry to one of Bellevue Avenue's premier estates. ¹⁷ But they were also a reminder of what Linda McFarlane Knierim, the caretaker's daughter, referred to as that "horrible night" when Doris Duke killed her longtime companion.

Since 2020 was the 20th anniversary year of Rough Point as a home museum and the NRF planned many events to mark it, one would have thought, that the gates would have been quickly repaired in the fall of 2019 rather than hidden under a tarp in a corner of the estates grounds for the entire anniversary year as documented in my book. ¹⁸

THE REMOVAL OF THE ST. URSULA RELIQUARY

As to the Reliquary of St. Ursula, the existence of which runs counter to the assertion on your wall-sized exhibit that Miss Duke and Eduardo were "on their way to dinner" when she ran him down, HOMICIDE AT ROUGH POINT presents detailed research that Doris Duke took possession of that artifact from John Perkins Brown after Eduardo's death and even appointed him as the first Executive Director of the NRF in 1969.

Word that the Reliquary had become a focus of my investigation reached officials at The Rubenstein Library by the fall of 2019. Then, in January, 2020, as asserted in your March 25th, 2021 statement to Sean Flynn, it was "removed for planned conservation work." ¹⁹ That statement refers to a YouTube video featuring Alex Allardt, the NRF's conservation consultant, heard stating that the Reliquary, "has been on display for at least 20 years" and that only at that time did the NRF "discover how damaged it is."

That begs several questions:

¹⁵ ATTACHMENT O

¹⁶ ATTACHMENT P

¹⁷ ATTACHMENT Q

¹⁸ ATTACHMENT R

¹⁹ ATTACHMENT S

THE UNANSWERED QUESTIONS

First, why wouldn't the NRF, which treasures the many works of art at Rough Point curated (as that piece was) by Eduardo Tirella, not have taken better care of St. Ursula and why, suddenly, after more than two decades sitting on a table across from the grand staircase at Rough Point, did the NRF decide to remove it for the entire 2020 season, months after it was known to be a focus of my investigation?

Speaking of the NRF on YouTube, the very announcement of the "Accident" Exhibit was made by Kristen Costa, a senior curator at Rough point in a video that went up on April, 2019 and had 1,592 views at the time of Ms. Lohmeyer's letter to you. In it, as Ms. Lohmeyer recounts, Ms. Costa "lightheartedly describes the perception among Newporters, about Eduardo's death as 'a local myth.'"

Ms. Lohmeyer then adds, "That statement is incredibly offensive to my family and his memory." She characterizes the NRF's continuing maintenance of that exhibit, which she believes holds her family in "a false light" as constituting "a reckless disregard for the truth," particularly in light of the NRF's aforementioned refusal to address my findings.

Yet in your statement to Sean Flynn you say only that you "will examine that portion of the exhibit regarding the resolution of the (wrongful death) case to ensure its accuracy.

If the entire exhibit contains multiple misstatements of fact and is so distressful to Eduardo's family, why focus on the last paragraph? Why not remove it all immediately?

The NRF enjoys its non-profit status while deriving significant income. That IRS 990 shows that in 2018 alone the NRF's revenue was \$5,860,706.00 including \$312,064.00 in Admissions to the museum and \$2,017,156.00 in Rental Income from the more than 70 colonial-era homes the NRF restored and continues to operate as a landlord.

For the Foundation under your leadership to continue to embrace the utterly discredited "accident" conclusion of Chief Joseph A Radice refuse to address the findings in my book, betrays one of the NRF's Preservation Principals as set forth in October of 2012. This is what the NRF stated in an online handout called "The Homeowner's Toolkit,"

"Historic preservationists do not want to freeze time. Preservation is not about resisting change, rather it's about managing change so that as communities evolve they do not lose their special places along the way."

With that Exhibit Mr. Thompson, and your apparent refusal to consider the history that's has been rewritten in my investigation you are not "managing" change, you are "resisting" it. As such, the NRF is in danger of losing its respected position in The City of Newport and the preservation world in general because it continues to perpetrate a lie.

As the caretaker of Doris Duke's home, I would encourage you to admit the truth of what she did, outside the gates of Rough Point in the early evening of October 7th, 1966. It was just moments after Eduardo had told her he was leaving her, when she turned a vehicle into a murder weapon and crossed into the perilous territory of intentional homicide.

Yesterday I sent complimentary Kindle editions of my book to two attorneys at the law firm which represents the NRF. In a follow up email I urged them to resolve this matter and "find some justice for Eduardo and peace for his family."

I hope that you will consult with them and get back to me as soon as possible.

Respectfully,

Peter Lance

A handwritten signature in blue ink, consisting of a series of loops and a long horizontal stroke, positioned over the printed name "Peter Lance".