

**FLORIDA DEPARTMENT OF LAW ENFORCEMENT  
INVESTIGATIVE REPORT**

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This Investigative Report is in regard to Steven Esdale's request for an investigation into certain allegations, per his letter of August 26, 2005, surrounding the death of his father.

Mr. Esdale alleged that his father, Murray Cohen, was murdered in 2003 by his father's new wife. He further claimed that they were heard arguing in the background of the 911 call made to the Sarasota County Sheriff's Office (SSO). Mr. Esdale alleged that a forensic audio analyst, Paul Ginsberg (Professional Audio Laboratories) was able to hear the arguing, including specific statements such as "You want me dead."

On September 15, 2005, Special Agent Supervisor (SAS) Andrew Rose met with the SSO Detective assigned to the case, Chris Hallisey, who stated that Sarasota Sheriff's Office, State Attorney's Office and Medical Examiner's Office were committed to reviewing any new leads in the case. Det. Hallisey said that Mr. Esdale has claimed that his father can be heard on the 911 call. Furthermore, he said that the Federal Bureau of Investigation has enhanced the tape and reported that there were "low level voices of unknown origin" which were "consistent with cross talk from adjacent channels" as well as other voices being "caused by the sound from a radio or TV broadcast at the 911 station (Communications Center) or in the background at the caller's end." Det. Hallisey reported that the 911 operators wore headsets with boom microphones, which could have recorded background voices in the communications center.

There have been three (3) independent enhancements of the 911 recording (GaideCom Inc. completed for Steven Esdale, Federal Bureau of Investigation for the SSO, and Professional Audio Laboratories for the Sarasota Herald-Tribune). SAS Rose reviewed the documents/reports relating to the enhancements and found inconsistencies with Mr. Esdale's claims and what was actually contained in the reports. According to Mr. Esdale's letter Paul Ginsberg (Professional Audio Laboratories) was able to hear Mr. and Mrs. Cohen arguing on the 911 call. Furthermore, Mr. Esdale claimed that Mr. Ginsberg was able to hear Mrs. Cohen ordering Mr. Cohen to "Lie on the floor" and "Give it up" as well as Mr. Cohen saying "You want me dead". Mr. Esdale also claimed that Mr. Ginsberg confirmed that the conversations originate from the caller's side of the call and were not attributable to a radio or television frequency.

In an undated letter to Matt Doig (Sarasota Herald-Tribune reporter), Mr. Ginsberg wrote that he did hear a female saying, "Give up", however, he did not hear a male saying "You want me dead"; he did not mention the "Lie on the floor" statement. Additionally, the letter did not address the issue of the conversations originating from the caller's side of the call.

Case Number: FM-73-0566	Serial #: 1
Author: Rose, Andrew	Office: Ft. Myers
Activity Start Date: 12/06/2005	Activity End Date: 12/08/2005

Approved By: Emerson, Stephen A.

Description: Esdale review

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Also on September 15, 2005, SAS Rose listened to the "original" cassette recording of the 911 call (SSO evidence exhibit #1) and was unable to hear the statements which Esdale alleged. It should be noted that portions of the tape were of poor quality.

On September 21, 2005, SAS Rose called Paul Ginsberg (Professional Audio Laboratories) and requested any reports he might have concerning the Cohen case. Mr. Ginsberg was quite helpful, however, he said he did not prepare any reports, as this was an "informal review of the tape provided". He said there appeared to be some discrepancy as to which copy of the tape he reviewed (several generations of copies made from the first one) and said he offered to assist the SSO with attempting to retrieve the original digital recording from the 911 system, but he said he received a letter from Mr. Cohen's widow requesting that he not get involved.

On November 16, 2005, SAS Rose received a copy of a Fox 13 news clip from the FDLE Public Information Office. The news clip featured the Cohen case and the allegations that Mr. Cohen had taken the drug Corazol.

On November 22, 2005, SAS Rose interviewed former SSO Communication Operator Anne Barrett. Mrs. Barrett confirmed that she was the 911 call taker for the Cohen case. Mrs. Barrett said she was able to listen to a copy of the call that morning and remembered taking it. In a taped, sworn statement, Mrs. Barrett said that although muffled, she believed that the background voice on the tape originated from the communications center and picked-up on her microphone. Mrs. Barrett said Mr. Esdale has contacted her on the telephone and by mail (at home) pleading for her to tell the truth.

SAS Rose spoke with Sarasota Public Safety Communications Manager Ann Pingel. She showed SAS Rose a Compaq Proliant hard drive tower that was locked in an office. She said Dictaphone serviced the system, however they went to a new system several months earlier but saved the hard drive because of Mr. Esdale's allegations. Ms. Pingel said the system was set to write over old data every 61<sup>st</sup> day and the old data was "erased".

Also on November 22, 2005, SAS Rose spoke with Dr. Vega of the Medical Examiner's Office in Sarasota. Dr. Vega said he was not the original Medical Examiner assigned to the case but was now. He stated that he had Mr. Cohen's vitreous fluid tested for Corazol. The test was negative, however, he said that other factors could have affected it as Corazol was a relatively uncommon substance and there were no known studies dealing with it.

On November 29, 2005, SAS Rose received a copy of a letter, from Earl Simmons-District Service Manager Dictaphone Corp., to Circuit Judge Deno Economou dated January 14, 2005. Mr. Simmons wrote that the Sarasota County 911 call was recorded on a Dictaphone Freedom logger and might have been archived to DVD. The letter was faxed to SAS Rose from SSO General Counsel Kurt Hoffman.

Also on November 29, 2005, SAS Rose spoke with Mr. Esdale on the telephone. Mr. Esdale wanted SAS Rose to interview Anne Barrett as she would "know better than the hard drive" about the 911 call as she heard it. Mr. Esdale stated that a "911 specialist", Bill Tidwell, might have information about the call as it was archived to DVD.

On November 30, 2005, SAS Rose spoke with Earl Simmons on the telephone. Mr. Simmons explained that the system would write over itself whenever the hard drive would get full. He

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said that there was "technically no way to recover the data" even if the hard drive was made available. He further stated that he spoke with Paul Ginsberg about recovering the data and Ginsberg agreed it would be impossible to recover. Mr. Simmons did say that if the data had been backed-up on DVD or DAT (digital audio tape), then it would be possible to retrieve it.

On December 1, 2005, SAS Rose spoke with Bill Tidwell on the telephone. Tidwell was the former Dictaphone Certified Systems Network Engineer who serviced the SSO. Mr. Tidwell said the system was originally set to write over itself every 90-120 days, however, it was later set for 61 days as it was learned that it was required to only keep the recordings for 60 days. He said that the calls were archived to DVD for a period of time but stopped sometime before Mr. Cohen's death. Mr. Tidwell said that in his opinion, the call was "more than likely not recoverable".

SAS Rose then spoke to Ann Pingel again. She said that the 911 calls had not been archived to DVD since they had reel to reel tapes over nine (9) years ago.

SAS Rose then spoke to Art Jeffrey, Regional Service Manager for NICE Systems - NICE acquired a portion of Dictaphone. Mr. Jeffrey stated that "unless the call was archived, it is gone" and it was unable to be retrieved.

On December 2, 2005, SAS Rose spoke with Dr. Vega again. Dr. Vega said that the Medical Examiner's Office had not tested Mr. Cohen's hair sample for Corazol and he had not ruled out that they would do it in the future.

Based upon reviews of the 911 tape and related documents as well as interviews conducted, SAS Rose could not develop any evidence that would substantiate Mr. Esdale's claims. Therefore, it is recommended that this matter be closed and any further leads referred to the Sarasota County Sheriff's Office.

**Related Items:**

1. Esdale letter (8/28/05); Ginsberg letter; GaldeCom report; FBI report
2. Fox 13 VHS tape
3. Anne Barrett compact disc/transcript
4. SSO General Counsel documents
5. Misc. Esdale faxes

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On January 3, 2006, SAS Rose called SSO Det. Chris Hallisey and informed him of the case findings. Det. Hallisey reiterated that the SSO would look into additional leads from Mr. Esdale via the SSO General Counsel (Kurt Hoffman). Det. Hallisey further stated that the SSO would support the testing of Mr. Cohen's hair sample for Corazol, however, the sample was in the custody of Medical Examiner's Office.

Case Closed.

Case Number:FM-73-0566	Serial #:2
Author:Rose, Andrew	Office:Ft. Myers
Activity Start Date:01/03/2006	Activity End Date:01/03/2006

Approved By:Emerson, Stephen A.

Description:Closing IR

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