

Fleet Russell White, Jr. and Priscilla Brown White

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October 15, 2013

The Honorable John Robert Lowenbach  
District Court, Boulder County, Colorado  
1777 Sixth Street  
Boulder, Colorado 80306

Subject: Charlie Brennan, et al v. Stanley L. Garnett, Esq.  
Case Number: 2013CV31393  
Division: COC

Judge Lowenbach:

We are Fleet and Priscilla White, residents of Boulder, Colorado. We were well-acquainted with John and Patsy Ramsey prior to JonBenet's death. The Ramsey children, Burke and JonBenet, were playmates of our son, Fleet Russell White III, and daughter, Daphne Rose White. The Ramsey family were guests at our home for Christmas dinner on December 25, 1996. We were present at the Ramsey home the following day when JonBenet's body was found. We became police and prosecution witnesses in the ensuing investigation.<sup>1</sup>

Shortly after the homicide, we became the subject of speculation circulating in the media regarding our status with respect to the investigation. A City of Boulder press release dated April 16, 1997, states:

In response to media inquiries and to clarify inaccurate statements, Boulder Police Chief Tom Koby has the following statement:

"Mr. and Mrs. Fleet White, Jr. are not suspects in the JonBenet Ramsey murder investigation. They are considered key witnesses. The Boulder Police Department appreciates the full cooperation they have received

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<sup>1</sup> Since JonBenet's death, we have lived and raised our children in Boulder. Our son, Fleet Russell White III, graduated from the United States Naval Academy in 2012 and is now an Ensign in the United States Navy. Our daughter, Daphne Rose, is in her fourth year at the United States Naval Academy and will graduate and be commissioned as an officer in May 2014.

from the Whites since the beginning of their investigation. I feel this response is necessary due to the inaccurate portrayal of Mr. and Mrs. White in certain media publications.”

Attachment A (*City of Boulder News, Ramsey Update* April 16, 1997)

In November and December 1998 and January 1999 we voluntarily gave sworn testimony to the Boulder grand jury investigating JonBenet’s death.

With regard to the subject case, we wish to express our support for Plaintiffs’ request that the written indictment that was prepared for and signed by the grand jury charging John and Patsy Ramsey with crimes related to the death of JonBenet, be disclosed to the public, either as required by the Colorado Criminal Justice Records Act or, alternatively, pursuant to the Court’s inherent authority and discretion. In expressing our support, we note that the Ramsey grand jury proceedings leading to the indictment spanned a period of over a year and represented a collaborative effort of law enforcement, investigative agencies, and prosecutors from several Colorado jurisdictions.

If disclosure is to be made pursuant to the Court’s discretion, we wish to expand on Plaintiffs’ presentation of reasons for disclosure by informing the Court of compelling reasons favoring disclosure including circumstances particular to our family.

# I.

DISCLOSURE OF THE GRAND JURY INDICTMENT MAY PROVIDE OUR FAMILY WITH A MEASURE OF VINDICATION FROM ACCUSATIONS THAT HAVE BEEN MADE AGAINST US FOLLOWING JONBENET’S DEATH AND PROVIDE THE PUBLIC A BASIS TO SCRUTINIZE THE MOTIVES AND OFFICIAL CONDUCT OF BOULDER DISTRICT ATTORNEY ALEX HUNTER WITH RESPECT TO THE RAMSEY INVESTIGATION

Following the homicide, John and Patsy Ramsey, their lawyers and other persons appearing to speak on their behalf, identified us as being involved in the crime. This is revealed in several books detailing the investigation and also by news accounts and documents in the

public record. We believe that this was done as a strategic means to discredit us as police and prosecution witnesses. Such attempts to link us to the crime continued following Boulder District Attorney Alex Hunter's apparent decision to not sign and file the grand jury's 1999 indictment. In an article published on October 13, 2008 following Mr. Ramsey's "exoneration" by Boulder District Attorney Mary Lacy, Mr. Ramsey expressed his "suspicions that a close friend with access to the house had some role in the murder, and he questions the person's alibi." See Attachment B (Lucinda Franks, *John Ramsey's Lingering Suspicions*, The Daily Beast, October 13, 2008) We have no reason to doubt that the person Mr. Ramsey is referring to is the undersigned, Fleet Russell White, Jr.

In the months following the homicide, Mr. Hunter's official conduct with respect to the investigation became the subject of much public criticism, including his practice of publicly expressing his opinions regarding the Ramseys and police officers, his alleged disclosures of police evidence and information to Ramsey defense lawyers and the press, and his undue criticism of the police investigation itself. For those reasons, and following public disclosure of information from our law enforcement interviews, we also became publicly critical of Mr. Hunter. In December 1997, we met with Colorado Governor Roy Romer to express our concern for Mr. Hunter's professional conduct and the highly-publicized conflict between Mr. Hunter's office and the Boulder police. We asked the Governor to consider intervening by appointing a special prosecutor to proceed with the investigation and any future prosecution. Mr. Hunter's displeasure with our public criticism of his official conduct and the Boulder police characterization of us as "key witnesses" in the investigation are well-documented in various books and other publications.

Not as closely chronicled is the (Boulder) Daily Camera newspaper's aggressive defense of Mr. Hunter in his disputes with the Boulder police to prevent a "rush to judgment" regarding the Ramseys. Such support of Mr. Hunter's handling of the investigation by the Daily Camera is evident throughout the investigation and the grand jury proceedings in 1998 and 1999. Moreover, the Daily Camera's editorial criticism of the Boulder police during that period paralleled and echoed the public criticisms of the Ramseys' defense lawyers that the police investigation was too narrowly focused on John and Patsy Ramsey to the exclusion of other persons. It is obvious to us now that the Daily Camera considered us to be among those that should be considered as suspects.

On February 25, 2000, four months following the conclusion of the grand jury and Mr. Hunter's apparent decision to not sign and file the grand jury's 1999 indictment against the Ramseys, the Daily Camera ran a front-page, headline news article reporting the beliefs and claims of an unidentified woman from California whose credibility had been endorsed by Mr. Hunter. The article, written by Daily Camera editor Barrie Hartman, is attached hereto as Attachment C (*DA pursues new Ramsey lead*, Daily Camera, February 25, 2000). The article speculates that the woman's information "could mean the Ramsey case is tangled in sexual abuse and involves more people than originally thought." The woman was later identified as Nancy Krebs, a person who was at that time unknown to us and who to this day we have never met. The Daily Camera's publication of Ms. Krebs' story triggered wide-spread speculation that members of our family were somehow responsible for JonBenet's death as well as for other crimes spanning years involving child abuse, pedophilia and child pornography. At the prodding of Mr. Hunter and the Daily Camera's leadership, a wasteful eleven-week Boulder police and FBI investigation of the woman's claims ensued. The conclusion of the investigation was marked by

an official Boulder Police statement dated May 15, 2000 in which Boulder Police Chief Mark Beckner stated:

“Unfortunately, the allegations have led to speculation that Fleet and Priscilla White, former close friends of the Ramseys and hosts of the 1996 Christmas party, were somehow involved in the sexual abuse and death of JonBenet. We have no evidence whatsoever to support this and have never had evidence to support such an allegation.”

Attachment D (*City of Boulder News Release, Boulder Police end investigation into California woman's report*, May 15, 2000)

Mr. Hunter, who shortly after the publication of the Daily Camera news article announced that he would not seek re-election later that year, did not join in the statement.

When we challenged the Daily Camera and its owner, The E.W. Scripps Company, to apologize and explain their irresponsible decision to publish the article, Daily Camera publisher Colleen Conant was directed by Scripps management to back-pedal through a carefully worded column that was published on May 7, 2000. In her column, Ms. Conant clearly states that it was Mr. Hunter's endorsement of Ms. Krebs' credibility that caused the newspaper to publish the article, stating:

The compelling facts are these: The District Attorney, a duly sworn officer of the government and the highest law enforcement officer in Boulder County, believed the claims brought forward by the California woman merited full investigation.

Attachment E (*Ramsey Case: hard choices, tough calls for editors*, Daily Camera May 7, 2000)

Four months following his decision to shield John and Patsy Ramsey from certain public condemnation by not signing and filing the grand jury's indictment, Mr. Hunter and the Daily Camera deliberately destroyed the reputations and credibility of two of that grand jury's important witnesses.

The widespread defamation caused by the Daily Camera's reporting of Ms. Krebs' fabrications and false claims has been devastating for our family and should not be allowed to provide an enduring basis for the public to erroneously conclude that Fleet and Priscilla White should join, or perhaps replace, John and Patsy Ramsey under "the umbrella of suspicion" in JonBenet's death, which we have no doubt was the intention of both Mr. Hunter and the Daily Camera. As should now be obvious from Mr. Hunter's actions and the Daily Camera's reporting and editorializing throughout the investigation and grand jury proceedings, Mr. Hunter and the leadership of the Daily Camera shared a bias in favor of protecting the Ramseys from prosecution.

In regard to his apparent decision in 1999 to not sign and file the grand jury's indictment against the Ramseys, it is possible that Mr. Hunter was motivated in part by ethical considerations not to charge people with crimes unless he believed he could prove guilt beyond a reasonable doubt. On the other hand, Mr. Hunter apparently had no such ethical qualms in February 2000 when it came to publishing Ms. Krebs' lies for the purpose of destroying Fleet and Priscilla White and pushing them under the "umbrella."

We support Plaintiffs' request for disclosure of the written indictment that was prepared for and signed by the grand jury since doing so may provide a basis for (1) vindication of our family from accusations relating to the homicide of JonBenet Ramsey and (2) public scrutiny of Mr. Hunter's motives and official conduct with respect to the grand jury proceedings and the Ramsey investigation in general.

## II.

DISCLOSURE OF THE GRAND JURY INDICTMENT IS NECESSARY FOR PUBLIC  
SCRUTINY OF BOULDER DISTRICT ATTORNEY MARY LACY'S ACTIONS AND  
STATEMENTS IN 2008 EXONERATING JOHN AND PATSY RAMSEY

In a July 9, 2008 press release, then-Boulder District Attorney Mary Lacy stated the following with respect to the investigation of JonBenet's death:

"The Boulder District Attorney's Office does not consider any member of the Ramsey family, including John, Patsy or Burke Ramsey, as suspects in this case."

Attachment F (*District Attorney Ramsey Press Release, July 9, 2008*)

In a publicly-released letter from Ms. Lacy addressed to John Ramsey also dated July 9, 2008, Ms. Lacy stated the following:

"To the extent that we may have contributed in any way to the public perception that you might have been involved in this crime, I am deeply sorry. No innocent person should have to endure such an extensive trial in the court of public opinion, especially when public officials have not had sufficient evidence to initiate a trial in a court of law. I have the greatest respect for the way you and your family have handled this adversity.

I am aware there that there will be those who will choose to continue to differ with our conclusion. But DNA is very often the most reliable forensic evidence we can hope to find and we rely on it often to bring to justice those who have committed crimes. I am very comfortable that our conclusion that this evidence has vindicated your family is based firmly on all of the evidence, including the reliable forensic DNA evidence that has been developed as a result of advances in that scientific field during this investigation.

We intend in the future to treat you as the victims of this crime, with the sympathy due you because of the horrific loss you have suffered. Otherwise, we will continue to refrain from publicly discussing the evidence in this case.

We hope that we will one day obtain a DNA match from the CODIS data bank that will lead to further evidence and to the solution of this crime... We hope that one day soon we will get a match to this perpetrator. We will, of course, contact you immediately. Perhaps only then will we begin to understand the psychopathy or motivation for this brutal and senseless crime."

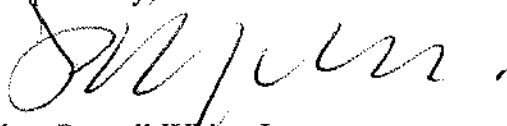
Attachment G (*District Attorney Letter to John Ramsey, July 9, 2008*)

We wish to point out that following Ms. Lacy's July 9, 2008 statements, the recently-exonerated Mr. Ramsey was emboldened to express his suspicions regarding a "close friend" to a journalist as described in the October 13, 2008 article attached hereto as Exhibit B.

We support Plaintiffs' request for disclosure of the written indictment that was prepared for and signed by the grand jury since doing so will provide a means for public scrutiny of the basis for Ms. Lacy's exoneration of John and Patsy Ramsey and her official conduct and motives in doing so.

Please contact us with any questions or if you wish additional information regarding the content of this letter.

Respectfully,

  
Fleet Russell White, Jr.

  
Priscilla Brown White

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