



U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535

June 2, 2016

Honorable Charles E. Grassley
Chairman
Committee on the Judiciary
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

This responds to your letter to Director Comey dated March 2, 2016, regarding the circumstances surrounding the tragic death of Annie McCann in November 2008, when she was 16 years old. While our public disclosure of this information and the enclosed documents might be prohibited by the Privacy Act, we are providing it to you in response to your oversight request and consistent with 5 U.S.C. 552a(b)(9).

The FBI did not participate in the investigation of Annie McCann's death, which the Baltimore Police Department (BPD) began immediately thereafter. At the end of the BPD's investigation, they concluded that there was insufficient evidence to establish that her death was a homicide. Thereafter, in December 2012, the BPD asked the FBI's National Center for the Analysis of Violent Crime (NCAVC) to conduct a criminal investigative analysis into the BPD's 2008 investigation of Annie McCann's death, and the NCAVC agreed to do so. NCAVC's analysis was based on a review of the BPD's case materials, including investigative documents and other information submitted by the BPD, as well as an on-site visit. NCAVC's analysis was not, and was not intended to be, an independent criminal investigation.

In September 2013, NCAVC and other FBI personnel met with representatives from the BPD and provided their opinion that Annie McCann's death was likely either an accident or suicide, based on the information provided by the BPD. NCAVC agreed with the BPD that the probability of her death being a homicide was low. NCAVC subsequently assisted the BPD in presenting this information to McCann's parents. Copies of the initial request, report from the NCAVC-BPD meeting, and the FBI's follow up activity with the BPD are enclosed. Note that the FBI has substantial confidentiality interests in other law enforcement sensitive materials, the disclosure of which would adversely impact important relationships with our law enforcement partners. Those materials do not include any analysis about the cause of Annie McCann's death that is not also set forth in the enclosed documents.

Honorable Charles E. Grassley

Thank you for your inquiry and your continuing support of the FBI. Please do not hesitate to contact my office if I may be of further assistance regarding this or any other matters.

Sincerely,



Stephen D. Kelly
Assistant Director
Office of Congressional Affairs

Enclosures

- ①- Honorable Patrick J. Leahy
Ranking Member
Committee on the Judiciary
United States Senate
Washington, DC 20510

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FEDERAL BUREAU OF INVESTIGATION

Electronic Communication

Title: (U) New Case Request**Date** 12/05/2012

:

To: S [REDACTED]**From:** CRIT INCIDENT RESPONSE

IR-BAUC

Contact: S [REDACTED] F [REDACTED]**Approved By:** S [REDACTED]**Drafted By:** S [REDACTED]**Case ID #:** 252B-IR F [REDACTED]

(U) Annie McCann (Victim)
Baltimore,
Maryland Child
Death 11/02/2008

Synopsis (U) Request BAU3 open and assign the captioned investigation
:
to SSA S [REDACTED]

Full Investigation Initiated: 12/05/2012

Package (U) A complete copy of the investigative file from
Copy:
Baltimore City Police Homicide is being forwarded from NCAVC
Coordinator, SA S [REDACTED] under separate cover.

Details:

On November 2, 2008, the remains of Annie McCann were found by Baltimore City Police Officers after being called by a man taking out the trash at the Perkins Housing Projects located on Lombard St. in the City of Baltimore. Ms. McCann was a 16-year-old high school junior from Fairfax County, Virginia. She had run away from home on October 31, 2008, leaving a note indicating she had considered suicide, but decided to run away and start over. The vehicle she drove from her home to Baltimore was found a few blocks away at a gas station.

An investigation into the death of Annie McCann was conducted by

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Title: (U) New Case Request
Re: 252B-IR-F , 12/05/2012

Homicide detectives of the Baltimore City Police Department. They found no evidence of external trauma and the medical examiner determined that there was a fatal amount of lidocaine in the tissues of her body. A bottle of the antiseptic Bactine was posited to be the source of the lidocaine, which had been supplied to Annie by her mother to treat her recently pierced ears.

Investigation by the Homicide detectives established that her vehicle had been used by a group of young thieves. When questioned by detectives they claimed that they found Annie McCann dead in the vehicle, dumped her body on the street, and took the car for a joy ride. One of the suspects in the car theft, Darnell Kinlaw, was later arrested and convicted of killing another woman and stealing her car. Two of the other persons involved in the theft of the McCann vehicle were incarcerated in a juvenile facility for the theft.

Ultimately, the Baltimore City Homicide Unit concluded their investigation and determined that there was insufficient evidence to establish that Annie McCann was the victim of a homicide. Based upon the notes found in the family residence and the physical evidence, they concluded that this was either an intentional suicide or she had ingested the Bactine in a naive effort to self-medicate her undiagnosed symptoms of depression.

Annie McCann's surviving parents are unwilling to accept the conclusions of the Baltimore City Homicide detectives. They also question the findings of the Baltimore medical examiner. They have hired private investigators to retrace their daughter's steps and review the investigation conducted by the Baltimore City Police Department. They also cite the statement by a forensic pathologist, claimed by a blogger to be "renowned," that insufficient amounts of lidocaine are present in a bottle of Bactine to be fatal.

The McCann's are seeking to have the investigation renewed and the persons involved the theft of their vehicle pressed for more cooperation. They specifically believe that the convicted murderer, Darnell Kinlaw, could provide more information and that the other two

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Title: (U) New Case Request
Re: 252B-IR^F [REDACTED], 12/05/2012

juveniles should be held until they reveal greater detail as to what happened to their daughter.

There has been extensive coverage of the death of Annie McCann, and the investigation into it, in the media and online. The Baltimore Sun, Washington Post and multiple bloggers have commented on the known facts of the investigation. The McCanns have publicly accused the Homicide detectives of being lazy and consider their investigation to date to be insufficient for them to come to the conclusions that they have made.

At the request of the Baltimore City Police Department, a Criminal Investigative Analysis is being sought for the investigation into the death of Annie McCann. A complete copy of the investigative file will be forwarded to NCAVC by the Baltimore Division after copying of the materials is completed.

SA^S [REDACTED] Primary NCAVC Coordinator, is the point of contact within the Baltimore Division and is available to assist with further inquiries or leads developed as a result of the analysis by NCAVC. His contact numbers are: Cell-^F [REDACTED] and Desk-^F [REDACTED]

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FEDERAL BUREAU OF INVESTIGATION

Electronic Communication

Title: (U) Document activity**Date** 12/16/2013

:

From: CRIT INCIDENT RESPONSE

IR-BAUC

Contact: S [REDACTED], F [REDACTED]**Approved By:** S [REDACTED]**Drafted By:** S [REDACTED]

Case ID #: 252B-IR F [REDACTED] (U) Annie McCann (Victim)
Baltimore,
Maryland Child
Death 11/02/2008

Synopsis (U) Document activity between Baltimore FBI and BAU-3.
:

Full Investigation Initiated: 12/05/2012**Details:**

On 09/27/2013, SSA S [REDACTED] and SSA S [REDACTED] met with Baltimore FBI Special Agent in Charge Stephen E. Vogt, NCAVC Coordinator SA S [REDACTED] and Baltimore Police Department LT S [REDACTED] to discuss the investigation of the death of Annie McCann in 2008. BAU-3 gave their assessment of the death of Annie McCann as equivocal between accident and suicide and that there was no way to further determine more consideration to one over the other. BAU-3 further assessed that the probability of Annie McCann's death was the result of a homicidal act was very low.

Also discussed was communicating the results of BAU-3's assessment to the McCann family. Daniel McCann and Mary Jane McCann, the parents of Annie McCann, have been vocal about their dissatisfaction with the investigation of their daughter's death. SAC Vogt requested BAU-3's assistance in communicating directly with the McCanns. SA S [REDACTED] would draft a letter of invitation for the McCanns to have a private meeting with SAC Vogt and would coordinate the meeting date and time.

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Title: (U) Document activity
Re: 252B-IR-F 12/16/2013

A meeting was set for 10/07/2013, after the invitation was accepted by the McCanns to meet with SAC Vogt. SSA S SSA S and SA S were also in attendance. During this meeting, BAU-3 explained to the McCann's why they assessed Annie McCann's death was equivocal between an accident and a suicide, why the probability of a homicide was low and that the actions of the young black males who were identified in the investigation of improperly disposing of Annie McCann's body near a dumpster, while inhumane, were conducted post-mortem and were not the cause of her death.

While the investigation of Annie McCann's death by Baltimore Police Department is closed, it is necessary to maintain the captioned file in pending status due to possible assistance or recommendations in the future, either to FBI Baltimore or to Baltimore Police Department..

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Import Form

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Form Imported: LHM

Document Title: (U) Annie McCann LHM(1)

Synopsis: (U) Report of meeting with Baltimore PD re Annie McCann and all recommendations made.

File Classification: UNCLASSIFIED

Uploaded File: (U) Annie McCann LHM(1).docx[Show Attachment Preview](#)

Filing and Security

Primary Case: 252B-IR-F

Case Title: (U) Annie McCann (Victim)
Baltimore, Maryland
Child Death
11/02/2008

Serial Number: F

Serialized: 02/22/2013

Category: Full Investigation

Initiated: 12/05/2012

Referenced By:	252B-IR-F	252B-IR-F	252B-IR-F
	Serial F	Lead 1	Lead 1 Coverage

Details

Raw File Text:

U.S. Department of Justice

Federal Bureau of Investigation

Behavioral Analysis Unit FBI Academy
Quantico, Virginia 22135
January 28, 2013
ANNIE MCCANN (VICTIM);
BALTIMORE, MD
CHILD DEATH
11/02/2008

The following report was prepared by Supervisory Special Agent (SSA) S of the Federal Bureau of Investigation (FBI), National Center for the Analysis of Violent Crime (NCAVC), Behavioral Analysis Unit 3 (BAU-3), in consultation with other members of the NCAVC. The recommendations contained within this report are based upon a review of case materials and other information submitted by the Baltimore Police Department (BPD), Baltimore, Maryland (MD).

The observations, opinions, and suggestions contained herein are the result of knowledge drawn from the personal investigative experience, educational background, specialized training, and research conducted by members of the NCAVC and others. This analysis is not a substitute for a thorough, well-planned investigation and should not be considered inclusive. The information provided is based upon probabilities. However, no two criminal acts or criminal personalities are exactly alike, and therefore, the offender may not fit the analysis in every aspect.

The recommendations are based upon information available at the time this report was prepared and assumes that the information set forth is valid and complete. Should additional information or case materials become available at a later date, certain aspects of this

report may be subject to modification or change.

This document is the property of the FBI. It contains information of a confidential and sensitive nature, and is provided exclusively for your investigative assistance. It should not be disseminated except to other criminal justice agencies with a legitimate investigative or prosecutorial interest in this matter. Any other dissemination is governed by federal law (28 CFR 16.21 et seq., pursuant to 5 USC 301), and must be coordinated with the CIRG Chief Division Counsel.

Administrative

On 11/20/2012, Assistant Special Agent in Charge Philip Phillips, FBI, Baltimore Division (BA), contacted SSA S [redacted] regarding a request he had received from the BPD for assistance with an investigation into the death of Annie McCann (Annie), a sixteen-year-old white female. SA S [redacted] Primary NCAVC Coordinator, BA, coordinated the duplication of all case materials; a digital copy of the case file was received by the NCAVC on 12/20/2012. Following an extensive review of the file, a meeting with the lead homicide detective, Detective Sergeant (Det. Sgt.) S [redacted] was scheduled for 02/12/2013.

On 02/12/2013, SSA S [redacted] Crime Analyst (CA) S [redacted] and SA S [redacted] met with Det. Sgt. S [redacted] at the BPD Homicide Office. An onsite review was conducted of the body disposal area, the vehicle disposal area, the approximate area where Annie's vehicle was last seen prior to it being stolen, and the Canton area of Baltimore where Annie may have been seen prior to her death. Following the onsite reviews, SSAS [redacted] and CAS [redacted] discussed their review of the case materials with Det. Sgt. S [redacted] who provided additional information in response to a list of questions that SSA S [redacted] and CA S [redacted] had prepared. At the conclusion of the meeting, SSA S [redacted] provided a summary of additional case information that had been requested, investigative suggestions, and suggested forensic examinations. Further details regarding these requests, suggestions, and recommendations follow below, after the brief case summary.

On 02/12/2013, SSA S [redacted] also received copies of 12 photos from the MD Office of the Chief Medical Examiner; six photos of Annie's body as it appeared at the crime scene and six photos of Annie's body as it appeared just prior to the autopsy.

Brief Case Summary

On November 2, 2008, at approximately 2:40 a.m., a resident of the Perkins Homes housing complex, while taking out his trash, discovered the body of a young white female behind a row of three large green dumpsters. Not observing any signs of life, the resident flagged down a passing fire truck. Baltimore Fire Department personnel called for an ambulance and the police. Annie was pronounced dead at the scene by responding paramedics. Some of Annie's personal belongings were found strewn around the area of the dumpsters.

Annie's vehicle was located later the same day, at approximately 10:30 p.m. The vehicle was parked at a gas station in the 1500 block of Eastern Avenue, just a few blocks from where Annie's body was found.

Annie had been reported missing by her family two days earlier, on 10/31/2008 at 6:50 p.m. She was last seen by her family at approximately 5:30 a.m. on 10/31/2008. She did not attend school that day and had left her parents a note stating she had contemplated suicide but instead had decided to run away. Annie was an honor roll student with no prior history or indication of running away. She was not known to use drugs or participate in any illegal activity. She was described by her family as a homebody who had few close friends. Her mother indicated Annie might have had anorexia; her father insisted Annie did not have anorexia.

An autopsy was performed by Dr. P-1 [redacted] Associate Medical Examiner and P-1 [redacted] Associate Pathologist, Office of the Chief Medical Examiner, on 11/02/2008. On March 3, 2008, Dr. P-1 [redacted] advised that the cause of death was lidocaine intoxication. The manner of death was ruled undetermined. The toxicology report indicated that

Annie had 26 mg/l of lidocaine in her heart blood, 100 mg/kg of lidocaine in her liver, and 29 mg of lidocaine in a 120 ml gastric specimen. Other significant findings included a .04 ethanol level in her heart blood and two anomalies of the heart conduction system.

Additional information requested by the NCAVC:

The following information was requested from Det Sgt S

The entire set of records for Annie's mobile phone (one month was subpoenaed).

A copy of the "runaway" note written by Annie and found in her room at her residence.

The report of the analysis of the family computer, including all key words previously searched.

Copies of any reports generated by Fairfax County Police Department regarding this case.

Copies of any videos of interviews with P-1 and/or P-1 if available.

Copies of any reports and/or information from interviews of Annie's friends S and S

Copies of any reports and/or information from interviews of Annie's school principal and Annie's teachers.

Investigative Suggestions

The following investigative suggestions were made:

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Fully Develop Annie's victimology.

Victimology is a critical component of any criminal investigative analysis. Information regarding Annie's background and her life situation prior to her death is lacking. Without this essential information, it would be extremely difficult, if not impossible, to conduct a complete analysis. H

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Suggested forensic examination

The following forensic examinations were suggested:

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The NCAVC recognizes that manpower and budget may constrain immediately addressing all of the recommendations made by the NCAVC. With this in mind, the NCAVC recommended prioritizing the following suggestions:

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SSAS advised Det. Sgt. S that due to the lack of information regarding Annie's victimology that a criminal investigative analysis could not be completed at this time. It was agreed that once additional information was accumulated, a second consultation would be scheduled.

Questions regarding any of the information contained within this memorandum may be directed to SSA S NCAVC, F
F or F

Indexing

Display Name	Enterprise Role	Entity Role	Entity Type	US Person
Annie McGann	CASE INDEX	Victim	PERSON	Yes

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Displaying 1 - 1 of 1

Routing

Drafted by: S [icon]

Coauthor(s): S [icon]

Approved by: S [icon]

DELETION CODES

- F. ADMINISTRATIVELY DESIGNATED FBI FILE NUMBERS, PHONE/FACSIMILE NUMBERS, AND ADMINISTRATIVE NOTATIONS WHICH REPRESENT INDIVIDUALS OR MATTERS WHICH ARE NOT THE SUBJECT OF THIS FILE.
- H. THE LAW ENFORCEMENT PRIVILEGE - THE DISCLOSURE OF THIS INFORMATION WOULD IMPEDE OR IMPAIR THE EFFECTIVENESS OF AN INVESTIGATIVE TECHNIQUE, METHOD OR PROCEDURE OF THE FBI.
- P-1. INFORMATION, THE DISCLOSURE OF WHICH WOULD BE AN UNWARRANTED INVASION OF PERSONAL PRIVACY.
- S. PERSONAL IDENTIFYING INFORMATION RELATED TO LAW ENFORCEMENT PERSONNEL AND THEIR FAMILY MEMBERS, THE DISCLOSURE OF WHICH IS ROUTINELY GUARDED FOR SECURITY REASONS.